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REPORT

ON

THE ADMINISTRATION OF CRIMINAL JUSTICE IN OUDH

During the year ending 31st December 1891.

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Report on the Administration of Criminal Justice in Oudh during the year ending with 31st December 1891.

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FROM

W. R. BURKITT, ESQ., C.S.,

JUDICIAL COMMISSIONER OF OUDH,

To

THE SECRETARY TO GOVERNMENT,

NORTH-WESTERN PROVINCES AND OUDH,

JUDICIAL (CRIMINAL) DEPARTMENT.

Dated Lucknow, the 21st September 1892.

SIR,

I HAVE the honor to submit the report on the Administration of Criminal Justice in Oudh for the year 1891, with the prescribed returns, and to forward the reports of the Sessions Judges and Deputy Commissioners in original.

2. I may premise that this is the first year during which the new system prescribed by Act XX of 1890 has been in force. As regards criminal work the principal change made by the Act was that the Revenue Divisional Commissioners ceased to be Sessions Judges. Their duties in that respect were made over to the District Judges, who became Sessions Judges, their number being increased from four to six. The constitution of the Judicial Commissioner's Court was also changed by the permanent addition to it of a second Judge. This change was made by Act XIV of 1891.

3. The district reports were received from Sessions Judges on the following dates :—

Lucknow	From 12th April to 15th April 1892.
Sitapur...	27th February 1892.
Hardoi	From 15th February to 14th March.
Fyzabad	14th March.
Gonda	16th March.
Rae Bareli	9th April.

The criminal returns of the Partábgarh district were not received from the Sessions Judge of Rae Bareli till the beginning of June, they having been most carelessly mislaid in his office, and Statement No. 2 (a most important statement) was not received till August 17th, the Sessions Judge having ignored the instructions sent to him early in the year regarding the submission of that statement.

The district statements were received on dates ranging from 15th February to 9th May 1892, and the Sessions Judges' returns were received between 8th April and 17th August 1892.

4. On the last day of the year under report there were 191 criminal tribunals in Oudh, inclusive of 15 benches of Honorary Magistrates, against 192 tribunals in the preceding year. The variations in both years are as follows :—

IMPERIAL RETURN No. I. Number of tribunals.

	1890.	1891.
Sessions Judges	5	6
Assistant Commissioners	12	11
Deputy Collectors	48	47

The criminal tribunals consisted of the following classes of officers :—

Europeans and Statutory Civilians ...	Covenanted officers...	22
	Military officers	13
	Uncovenanted officers	8
Natives		204

IMPERIAL RETURN No. II.
Offences reported.

5. As compared with the previous year there was an increase of 2,298 or 4·7 per cent. in the number of offences reported in 1891. Nine districts show an increase. Bara Banki heads the list with an increase of 800, Bahraich comes next with an increase of 671, and Partábgarh follows with an increase of 659 offences reported. Four districts show a falling off, the most noticeable decrease being in Hardoi, (517), Sultánpur, (178), and Kheri, (170). The increase in offences reported in Bara Banki, Bahraich, and Partábgarh occurred principally in cases of theft, hurt, and criminal trespass. In Bahraich and Partábgarh there was a considerable increase in offences under "Special and local laws." The decrease in the number of offences reported chiefly occurs in Hardoi and Sultánpur, under "Offences affecting the human body" and "Breach of special and local laws," and in Kheri, under "Offences against property."

6. In Bara Banki the increase of offences is thus accounted for :—"The kharíf of "1890 was not good, and for a short time famine was imminent, whilst the rabi of 1891 "was damaged by frost and heavy rain. Then came the rain in May, followed by a "drought, which lasted till the first week in August. Famine prices were almost "reached, and grain thefts became very numerous. Squabbles about water led to a "great increase in hurt and criminal trespass cases."

The Deputy Commissioner of Bahraich writes—"Petty thefts increased consi- "derably and may be due to the privation consequent on a late rainfall."

The Deputy Commissioner of Partábgarh says—"These results appear to point "to more faithful reporting of offences."

Offences struck off or complaints dismissed under section 203, Criminal Procedure Code.

7. The number of offences struck off by order of the Magistrate and of complaints dismissed under section 203, Criminal Procedure Code, aggregated 14,170 during 1890 as against 13,744 in the previous year. The percentage of offences thus disposed of was exactly the same in 1891 as in 1890, *viz.*, 27. The principal headings under which complaints were struck off or dismissed are—

	Reported.	Struck off or dismissed.
Extortion	219	166
Wrongful confinement	193	123
Cheating	340	212
Kidnapping	147	90
Defamation	431	263
Robbery	221	104
Criminal intimidation	333	166
Mischief	2,025	908
Criminal breach of trust	337	148
Offences relating to marriage	1,442	607
Causing hurt	10,850	3,870
Criminal force	3,134	1,128
Offences against public tranquillity	531	180
Criminal trespass	5,305	1,605
Theft	8,671	2,223
False evidence	505	83
Offences against special and local laws	12,225	1,541

8. There was an increase in the percentage of offences struck off or dismissed in 1891, as compared with the percentage for 1890, under the following headings, *viz.*, criminal breach of trust (+7), robbery (+6), offences relating to marriage (+4), extortion and criminal trespass (+2 each), and theft (+1).

The percentage was almost identical in both years under "wrongful restraint," cheating, defamation, hurt, and false evidence, but it fell off in the year under report under the following headings, *viz.*, criminal intimidation and offences against public tranquillity (—5 each), mischief (—4), kidnapping and offences against special and local laws (—3 each), criminal force (—2). The variations are very minute on the whole.

Cases struck off.

9. Three thousand five hundred and fifteen cases were struck off from the police registers by order of Magistrates, being 1,304 more than in the previous year. The percentages of cases struck off to offences reported for the two years 1890 and 1891 are 4·4 and 6·8 respectively. With this increase in the cases struck off, there has been a decrease of 878 during 1891 in the number of complaints dismissed by Magistrates under section 203, Criminal Procedure Code, as compared with the figures of the preceding year, the figures for the two years being 10,655 or 20·6 per cent. of the offences reported dismissed in 1891, and 11,533 or 23 per cent. in 1890.

10. Nine districts show a decrease in the offences dismissed during 1891 as compared with the figures for the preceding year. On the other hand, there was an increase in two districts. The percentages of complaints dismissed in 1891 are—Gonda 27, Unao 25, Fyzabad and Partábgarh 23 each, Bara Banki 22, Bahraich, Sultánpur, and Kheri 21 each, all being above the provincial average (20·6); whilst Rae Bareli (20), Sitapur (19), Lucknow and Hardoi (15 each), and Lucknow City (9), are below it.

11. The Deputy Commissioner of Bahraich (Mr. Gibson) writes in his district report—"The number of offences struck off quadrupled the figures of the previous "year, and over 5 per cent. were false charges of theft. The District Superinten- "dent was unusually active in having cases expunged. I need not say that I receive "such applications with caution, and do not allow a case to be expunged unless it is "palpably false or was made under a misapprehension."

Mr. J. Sanders, Deputy Commissioner of Partábgarh, remarks—* * * "I "found on my arriving in the district that Deputy Magistrates are too much "inclined to receive all sorts of complaints and, without paying the least attention to "the provisions of section 200, Criminal Procedure Code, to at once issue a summons "or warrant on the accused according to the offence named in the complaint. I had to "issue strict orders that the provisions of the section must be strictly observed; and "repeatedly sent for petitions in order to see if a full and complete statement on oath "of the complainant had been reduced to writing, and that it was signed by the com- "plainant as well as by the Magistrate. I may here mention incidentally that I had "to warn Magistrates to exercise some thought as to the real offence, if any, com- "plained of in issuing a summons or warrant accordingly, if they considered the com- "plaint *primâ facie* a true one, and not to be guided solely by the offhand and arbitrary "insertion of any particular section of the Penal Code by an irresponsible petition "writer, whose knowledge of that Act is neither extensive nor accurate. The Deputy "Magistrates are still too apt to fling a petition to their Munshis and with an order "for a summons or warrant according to the section given at the head of the petition."

The increase in the number of theft cases struck off by order of Magistrate is thus accounted for by the Deputy Commissioner of Bara Banki (Colonel Grigg):—"The reason for this is the numerous false charges which are brought. On inquiry "these alleged thefts, in a large number of cases, are found to relate to rent disputes "or claims which the Rent Courts should dispose of."

The Deputy Commissioner adds—"Before cognizable cases are expunged the "reports are submitted to me by the Subordinate Magistrates with their opinion, and "final orders are passed by me. The police have been very careful this year to have "cases in which the prosecution has failed to prove the charge and it has been found "false expunged."

As regards complaints dismissed under section 203, Criminal Procedure Code, the Deputy Commissioner observes—"From these figures it is manifest that the "Magistrates issued processes without due cause being shown. But there is this to be "said for them that the Bara Banki complainant will not have his petition lightly "dealt with. If he cannot get processes issued he appeals or petitions for a fresh "trial."

The Sessions Judge of Fyzabad writes—"I should be glad to think with the "Magistrate that the decrease is due to greater care in bringing complaints; I am "afraid the decrease is really due to the fact that the bulk of the work is performed "by Native Magistrates or inexperienced English Magistrates who do not throw out "complaints freely under section 203. A very great deal more might be done in this "respect as the low percentage of convictions in offences against the human body shows."

Mr. P. J. White, the Deputy Commissioner of Sultánpur, remarks—"Section "203, Criminal Procedure Code, has as usual been very destructive to hurt complaints; "still 104 cases less have thus been dismissed than in 1890. The figures against serial "No. 53 (robbery) look startling, but these charges of the nature of robbery were "found to be trumped up to satisfy private pique of some sort. Similarly there was "a large number of vindictive charges of theft which had to be struck off or "dismissed."

12. Compensation for vexatious or frivolous complaints was awarded to 540 accused persons as against 145 in the previous year. This increase is almost entirely the outcome of the alteration in law made in 1891, by which compensation can now be given in other than summons cases. The provisions of the new law do not appear to have been at all freely resorted to during 1891. Some action, however, appears to have been taken under section 560, Criminal Procedure Code, in Sitapur, Kheri, Fyzabad, Bahraich, Sultánpur, and Partábgarh.

Number of cases in which compensation was awarded.

13. The Deputy Commissioner of Bara Banki (Colonel Grigg) writes—"Only "Rs. 66, as against Rs. 108 in the preceding year, was awarded to 14 persons against "17. Section 560 has not been thoroughly comprehended yet. The old plan of giving "the defendant his remedy by a prosecution under section 211 in still in favour. On "calling one Magistrate's attention to the provisions of the new law he pleaded igno-"rance. The enactment came in force rather late in the year, and copies were not "received for all Magistrates, which possibly accounts for failure to apply its provisions "to the full. It should be a most effectual check on false and frivolous complaints of "every description. From an appeal which came before me the other day it would "appear the complainant was taken aback at the sweeping character of the new "section. Under the old section, 250, he would have got off, for he had thrown in "rioting, theft, &c., which were considered proof against the tables being turned "on him without recourse to a long and perhaps doubtful prosecution."

The Deputy Commissioner of Sitapur writes—"I am trying hard to get "Magistrates to take action under this section, but as a body they are backward in "doing so."

The Deputy Commissioner of Hardoi remarks—"This new section has not yet "had time to work properly. I hope to see many more cases under it next year."

The Sessions Judge, Colonel Cowie, notes on the Hardoi report—"There has been "plenty of time to work the section if Magistrates would but make more use of the "provisions. Both in Hardoi and in Unao little advantage has been taken of it "during past year."

The Deputy Commissioner of Fyzabad writes—"Attention of Courts is "constantly directed to the good effect of using the extended powers of awarding "compensation. In districts where section 203 is used with freedom there is not

"opportunity for a large giving of compensation, for many of the frivolous and "vexatious cases are dismissed under that section."

Mr. T. R. Wyer, the Sessions Judge of Fyzabad, notes on the above :— "I am "not sure that an increase of action under section 560 is to be desired. On my own "part I think it may prove a serious hindrance to the proper administration of justice. "Careful, well judged dismissal of complaints under section 203 is to my mind a "much sounder and more reliable check to the bringing of false and frivolous "complaints."

14. In these remarks I do not concur. I look on the amendment of the law as being most useful and salutary, and I anticipate that when its scope becomes to be generally understood it will have the effect of considerably reducing the number of frivolous and vexatious complaints.

Cases brought to trial.

15. Thirty-seven thousand four hundred and ninety-one cases were brought to trial during the year under report, as against 35,492 in 1890, being an increase of 1,999 cases. The variations in the district figures are shown in the subjoined table :—

	1890.	1891.	Difference.
Fyzabad	3,617	4,155	+538
Partábgarh	2,137	2,555	+418
Lucknow	1,551	1,871	+320
Bahraich	2,230	2,479	+249
Gonda	2,830	3,086	+256
Unao	1,942	2,112	+170
Bara Banki	2,938	3,103	+165
Sitapur	2,799	2,962	+163
Lucknow City	3,432	3,588	+156
Rae Bareli	2,932	2,986	+54
Hardoi	3,640	3,257	−383
Sultánpur	2,668	2,572	−96
Kheri	2,776	2,765	−11

It will be seen that 10 districts show an increase aggregating 2,489 cases, and the remaining three districts show a decrease of 490 cases brought to trial during 1890, as compared with the figures of the previous year.

This increase in the number of offences brought to trial in 1891, as compared with the figures for the previous year, is almost wholly due to an increase in the number of petty theft, dishonest retention of stolen property, mischief, criminal trespass and hurt cases, and offences against special and local laws. The variations in the more heinous offences against the person and property are small.

Persons brought to trial.

16. The number of persons actually brought to trial rose from 65,251 in 1890 to 66,561 in the year under report. The following table shows how persons under trial were disposed of :—

	1890.		1891.	
	Number.	Percentage.	Number	Percentage.
Acquitted or discharged	32,405	49 66	34,569	51 93
Convicted	32,735	50·16	31,693	47 61
Died, escaped, &c.	111	·17	299	·43

Thus with an increase of 1,310 in the number of persons brought to trial there has been a decrease of 1,042 or 2·55 per cent. in the number of persons convicted.

General results.

17. The general results for the years 1890 and 1891 are given below :—

	1890.	1891.
Cases reported	49,342	51,640
„ struck off and dismissed	13,744	14,170
„ returned as true	35,593	37,470
Percentage returned as true	72·14	72·56
Persons under trial	65,251	66,561
„ convicted	32,735	31,693
Percentage of convictions	50 16	47·61

18. Colonel Grigg, the Deputy Commissioner of Bara Banki, writes as to the falling off in the percentage of convictions—"The percentage of convictions shows "but little difference, but in criminal force and assault percentage of convictions fell "from 21·1 to 13·4, and number of cases from 343 to 261, showing that experience, "perhaps dearly bought, had proved the necessity of adding hurt to assault to "procure the attendance of the defendant."

The Deputy Commissioner of Kheri (Colonel Harrison) remarks—"It is "evident that the Courts have not exercised the right to dispose of such cases on their "being brought up, by examination of prosecutor, though this has been repeatedly "brought to their notice.

Certain special details. Rioting.

19. Of the persons tried for rioting in 1891, 58 per cent. were convicted as against 61 per cent. in the preceding year. The highest percentages obtained were in Partábgarh (92), Kheri (79), Sultánpur (77), Lucknow City (75), Fyzabad (67), and Hardoi (65).

Affray.

20. The percentage of convictions under the heading "Affray" fell from 72 in 1890 to 51 in the year under report. The highest percentage was 100 in Lucknow, Unao, Sitapur, and Gonda. The provincial average was exceeded in three other districts, *viz.*, Bara Banki (73), Lucknow City (70), and Hardoi (60).

Contempt of the lawful authority of public servants.

21. Under the head of "contempt of the lawful authority of public servants" there is in 1891 an increase of 6 per cent. above the figures of 1890 in the number of persons tried. The percentage of convictions in 1891 was, however, 1 per cent. less than in the preceding year. In the Bara Banki district the number of persons tried in 1891 rose to 135 from 108 in 1890, and the percentage of convictions from 66 in 1890 to 74 in the year under report. In Fyzabad 210 persons were tried in 1891 as compared with 71 in the previous year, but the percentage of convictions was the same in each year, *viz.*, 52. In Sultánpur, while the number of persons tried increased from 126 in 1890 to 160 in 1891, the percentage of convictions fell from 71 to 55.

False evidence and offences against public justice.

22. In the year under report 53 per cent. of persons tried for offences under this head were convicted as compared with 55 per cent. in the previous year, the number of convictions being 323 and 394 in the two years respectively. In Bara Banki the percentage of convictions fell from 51 to 45, in Hardoi from 64 to 44, and in Gonda from 53 to 40.

Offences relating to coin and Government stamps.

23. In the year under report 62 per cent. of persons tried under this head were convicted as against 65 in 1890. Convictions were obtained against all the persons charged with offences under this head in Kheri and Hardoi. High percentages of convictions were obtained in Partábgarh (83), Bahraich (81), Sultánpur (70), and Sitapur (66).

Offences affecting the public health.

24. In 1891, 424 persons were tried for offences under this head, of whom 309 were convicted as compared with 527 persons tried and 424 convicted in 1890, the percentage of convictions for the two years being 72 and 80 respectively. The falling off in the convictions is

most marked in Kheri (from 72 to 37), Lucknow (from 75 to 44), and Partábgarh (from 97 to 62).

Hurt.

25. The variations in the figures for the past two years under the heading " Hurt " are as follows :—

	Offences reported.	Struck off or dismissed.	Persons tried.	Acquitted.
1890	10,577	4,031	14,518	8,096
1891	10,850	3,870	15,314	9,626

It will be seen from the above table that while in 1891 there was an increase of 273 offences reported, the number of complaints struck off or dismissed decreased by 161 as compared with the figures of the previous year. The number of persons tried during the year under report increased by 796, and those acquitted by 1,530. The provincial percentage of acquittals in the two years was 56 and 62 respectively.

The district percentages of acquittals were as follows:—

	1890.	1891.
Gonda	73	63
Hardoi	66	60
Sitapur	61	70
Unao	61	72
Kheri	59	65
Fyzabad	57	53
Rae Bareli	56	72
Bahraich	55	70
Lucknow City	53	56
Sultánpur	49	74
Bara Banki	47	52
Lucknow	44	42
Partábgarh	36	54

The percentage of acquittals in seven districts was in excess of the provincial average, but Hardoi, Fyzabad, Lucknow, and Gonda show an improvement on the figures of 1890. The falling off in the percentages of the four districts just mentioned may be taken to indicate greater carefulness on the part of the Magistrates of those districts in admitting complaints.

26. The Deputy Commissioner of Sitapur says—"More than half the persons "brought to trial for hurt were acquitted, one-seventh discharged, and only 1 in "8 was convicted. Undoubtedly a great many cases were wrongly taken up."

Mr. Gibson, the Deputy Commissioner of Bahraich, remarks—" I have referred "to the cause of increase in offences against property, and it is probable that the same "cause increased petty violence to the person. The gloomy prospect of a drought "must cause much irritation and friction, and though no famine occurred, credit was "withheld for a time, and this among the cultivators generally means privation, and "still more so among those who receive wages." As regards the increase in acquittals, the same officer writes—" These are compoundable, and it is far better that they "should be settled amicably out of court. A conviction widens the breach and leads "to retaliation. Notwithstanding the disfigurement of statistics, a low percentage "of convictions arising from a large proportion of insignificant offences is not an "unalloyed evil."

The Deputy Commissioner of Partábgarh, commenting on the result of prosecutions for crimes under this head, writes—" Of course the largest portion of these are "simple hurt and assault cases. I have already laid stress on the difficulty I have "had in impressing on Deputy Magistrates, Tahsíldárs, and Honorary Magistrates the "necessity of more carefully observing the provisions of sections 200, 202 and 203, "Criminal Procedure Code."

Wrongful restraint and wrongful confinement.

27. Of the 291 persons tried for offences under this head, 30 or 10 per cent. were convicted, the figures for the preceding year being 265 persons tried and 52 or 19 per cent. convicted. The percentages of convictions were above the average in 7 districts, *viz.*, Lucknow (50), Unao (50), Kheri (25), Bahraich (19), Rae Bareli (18), Sultánpur (16), Hardoi

(13). None of the persons tried in Sitapur, Fyzabad, and Gonda was convicted, and in the three remaining districts the percentages of convictions were 3, 6, and 8 respectively.

Criminal force and assault.

28. In 1891 there were 3,134 complaints of offences under these headings, being 376 less than in the previous year. Out of the 4,284 persons tried, 3,015 or 70 per cent. were acquitted. The percentage of acquittal in 1890 was 64. The district percentages of acquittals during 1890 and 1891 are as follows :—

	1890.	1891.
Lucknow City	85	81
Sultanpur	60	80
Kheri	76	78
Rae Bareli	71	78
Sitapur	77	73
Lucknow	67	72
Bahraich	47	72
Hardoi	57	68
Partábgarh	49	66
Unao	65	64
Gonda	61	61
Fyzabad	51	60
Bara Banki	51	44

The percentages of the first seven districts exceed the provincial percentage. With the exception of three districts, *viz.*, Lucknow City (—4), Sitapur (—4), and Bara Banki (—7), which show an improvement, the other districts show a large increase of acquittals, a result mainly attributable to the reluctance with which many Magistrates avail themselves of the powers vested in them by section 203, Criminal Procedure Code.

Rape.

29. The number of persons convicted for rape shows a slight increase over the figures of the previous year. Out of 56 persons tried for offence under this head, 26 were discharged, 5 acquitted, and 25 convicted.

Theft.

30. Although the number of true offences under this head increased from 6,135 in 1890 to 6,456 in 1891, the percentage of convictions has remained the same in both years, *viz.*, 74. Six districts show a higher percentage than the average, *viz.*, Partábgarh (83), Rae Bareli (81), Sitapur (80), Lucknow City (78), Bahraich (78), and Unao (77). The lowest percentage was 66 in Kheri. The percentage of convictions is on the whole good, and it is satisfactory that it has not fallen off with the increased number of offences.

Robbery and dakaiti.

31. The number of persons tried for robbery and dakaiti rose from 341 in 1890 to 370 in the year under report, while the number of persons convicted fell from 178 to 163. The provincial percentage of persons convicted to persons tried was 52 in 1890, as compared with 44 in 1891. The following districts show percentages of convictions above the provincial average:—in Rae Bareli 7 persons were convicted out of 9 tried, in Bara Banki 24 convicted out of 37 persons tried, in Sitapur 9 convicted out of 14, in Gonda 16 convcted out of 32. In Hardoi 46 per cent. of the persons tried were convicted. The figures of the year under report are thus 8 per cent. worse than those of 1890, which my predecessor characterized as being "poor." There evidently is room for improvement here. Probably the police acted injudiciously in making arrests on insufficient evidence.

Receiving stolen property.

32. During the year the provincial percentage of convictions obtained for offences under this heading rose to 73 from 71 in 1890. In the following districts the percentages of conviction are better than the provincial average:—Partábgarh (90), Sitapur (79), Lucknow City (77), Lucknow (76), Hardoi (76). The percentages of other districts vary from 64 in Kheri to 73 in Rae Bareli. It is noticeable that most of the districts which show good percentages under the heading of theft show well under this heading also.

33. In the year 1891 340 offences were reported against 317 in the previous year, and 212 were struck off or dismissed by Magistrates as compared with 191 in 1890. The percentage of convictions to persons tried, however, fell from 32 in 1890 to 29 in 1891; in other words, 53 persons were convicted out of 180 tried in the year under report as against 57 out of 173 in 1890. Five districts show higher percentages than the provincial average.

Cheating.

34. In the year under report convictions were obtained against 14 out of the 53 persons tried, as against 20 persons convicted out of 56 tried in 1890, the percentage of convictions in 1891 and 1890 being 25 and 35 respectively. In Fyzabad and Sitapur 6 persons were tried, but no conviction was obtained in either district. In Hardoi all 4 persons tried were convicted.

Offences relating to documents, trade and property marks

35. The number of offences reported under this head rose from 1,381 in 1890 to 1,442 in 1891. Of these latter 607 were struck off or dismissed by Magistrates, as compared with 527 in 1890. Out of the 1,031 persons tried during the year, 885 were discharged or acquitted and 144 or 14 per cent. were convicted. The district percentages of convictions of Lucknow (25), Lucknow City, Bahraich, and Partábgarh (18 each), Unao (16), and Rae Bareli (15) exceeded the provincial average. The lowest percentages are Gonda and Sultánpur (7 each).

Offences relating to marriage.

All these figures are decidedly bad and not creditable to the Magistrates who inflicted on nearly 750 persons the unnecessary indignity of having to appear in court to defend themselves against unfounded complaints. The attention of District Magistrates will be called to this matter.

36. As in 1890, so also in the year under report, it would appear that complaints of defamation have been much too lightly entertained, for I find that in 1891 there was an increase of 66 complaints for defamation, as compared with the number of such complaints in 1890. Out of 431 complaints made 263 were struck off or dismissed by Magistrates as against 225 in 1890. Convictions were obtained in Partábgarh against 35 per cent. of the persons tried, in city Lucknow against 29 per cent., and in Hardoi, Rae Bareli, and Sultánpur against 25 per cent. No convictions were obtained in Lucknow, although 29 persons were tried, of whom 8 were acquitted and 21 discharged in default of prosecution.

Defamation.

37. During the year 260 persons were tried for offences under this head, of whom 51 or about 16 per cent. were convicted as compared with 22 per cent. in 1890. In Kheri 3 persons were tried and in Bahraich 5, none of whom were convicted. In Gonda the percentage of persons convicted to persons tried was 43, in Fyzabad 40, in Unao 33, in Rae Bareli 29, in Lucknow 28, in Lucknow City 26, and in Sultánpur 22.

Criminal intimidation, insult, and annoyance.

38. Seventy-six persons were tried in 1890 for offences against the Arms Act, and 57 persons or 75 per cent. were convicted. During the year under report 67 persons were tried, of whom 51 persons or 73 per cent. were convicted. Convictions were obtained against all the persons tried in Lucknow (4), Bahraich (1), Gonda (8), Sultánpur (3), and Partábgarh (3).

Arms and Explosives Acts, XI of 1878 and IV of 1884.

39. There was a slight increase during 1891 in offences under the Cantonments Act, as compared with the figures for the previous year. Out of the 749 persons tried 684 or 91 per cent. were convicted as against 710 persons tried and 627 or 88 per cent. convicted in 1890.

Cantonments Act, III of 1880.

40. There was a considerable increase during 1891 in offences under this head, 517 persons having been tried as compared with 172 in the previous year. Out of 513 persons tried in Gonda 321 were convicted. The Deputy Commissioner of Gonda has not given any explanation of the increase of crime under this head.

Criminal Tribes Act.

41. During the year 115 persons were tried for offences against the forest laws, as compared with 100 persons in 1890. Out of the 89 persons tried in Bahraich 72 were convicted, and out of 26 tried in Gonda 24 were convicted.

Forest Act, VII of 1878.

42. Although the number of persons tried for offences under this class has risen from 682 in 1890 to 710 in the year under report, yet the percentage of convictions shows a very small fluctuation, the figures for the two years being 80 and 79 respectively. Convictions were obtained against all the persons tried in Gonda (3) and Rae Bareli (22). In Lucknow City 233 persons, and in Hardoi 141 persons, were convicted out of 292 and 164 persons tried.

Gaming and Lotteries Act, III of 1867.

43. The number of persons tried for breaches of municipal bye-laws was 4,645 in 1891, being 73 in excess of the number tried in 1890, and the number of convictions rose from 3,813 in 1890 to 3,967 in 1891. The percentage of convictions to persons tried was 85 in 1891 as against 83 in 1890.

Municipal bye-laws.

The following table shows the number of persons tried in each district during 1890 and 1891, and percentage of convictions to the number of persons tried in 1891 :—

	Persons tried.		*Difference.*	*Percentage of convictions to persons tried.*
	1890.	1891.		
Kheri	11	18	+ 7	100
Hardoi	700	382	−318	95
Sitapur	373	408	+ 35	92
Sultánpur	50	45	− 5	91
Bahraich	235	287	+ 52	90
Gonda	218	478	+260	88
Bara Banki...	46	59	+ 13	86
Lucknow City	1,838	2,011	+173	84
Fyzabad	578	352	−226	81
Partábgarh	86	92	+ 6	79
Unao	45	37	− 8	78
Rae Bareli	392	476	+ 84	72

44. During the year 3,787 persons were tried for committing nuisances under Act V of 1861, being 1,160 less than in 1890. The percentage of convictions, however, shows no fluctuation, being about 93 in each year. The subjoined table shows the number of persons tried in each district during 1890 and 1891, and the percentage of convictions to the number of persons tried in 1891 :—

Nuisances, Act V of 1861.

	Persons tried.		*Difference.*	*Percentage of convictions to persons tried.*
	1890.	1891.		
Partábgarh	16	35	+ 19	100·
Sitapur	65	65	...	98·
Bahraich	30	48	+ 18	98·
Hardoi	101	260	+159	97·
Sultánpur	325	125	−200	96·
Fyzabad	1,410	1,385	− 25	95·
Lucknow City	1,012	571	−441	95·
Gonda	331	32	−299	94·
Rae Bareli	713	567	−146	93·
Unao	590	248	−342	88·
Bara Banki	272	337	+ 65	88·
Lucknow	37	75	+ 38	84·
Kheri	45	39	− 6	72·

45. There was a falling off in the number of persons tried during 1891 for offences against the opium laws, as compared with the figures of the previous year, the figures for the two years being 334 persons tried in 1891 as against 363 in 1890. The percentage of convictions to persons tried likewise fell from 76 in 1890 to 70 in 1891.

Opium Acts, XIII of 1857 and I of 1878.

46. The number of persons tried under the Railways Act rose from 87 in 1890 to 116 in 1891. Convictions have likewise risen from 62 to 80 in the year under report, the percentage of convictions to persons tried being 69 in 1891 against 71 in 1890. All the persons tried in Lucknow city, Unao, Bara Banki, Hardoi, Kheri, and Sultánpur were convicted. Out of the persons tried in Sitapur and Fyzabad 88 per cent. and 81 per cent. respectively were convicted.

Railways Act, IV of 1883.

47. There was a considerable falling off in the number of persons tried and convicted during the year under report for breaches of the stamp law, as compared with the figures for the previous year, the figures for the two years being 403 persons tried and 295 convicted in 1891 as against 585 tried and 483 convicted in 1890. The most considerable fallings off were in Bara Banki, Hardoi, Bahraich, Rae Bareli, and Sultánpur. The highest percentages of convictions occurred in Unao (100), Sultánpur (100), Bahraich (94), Partábgarh (85), Lucknow City (81), Lucknow (78), Hardoi (72), Fyzabad (63), and Gonda (60).

Stamp Act, I of 1879.

48. During the year under report the number of persons called upon to give security to keep the peace fell to 2,461 from 2,857 in 1890. Out of these 2,461 persons 1,453 persons, or 59·04 per cent., were finally ordered to furnish security. The percentage was almost the same in 1890, *viz.*, 59. The decrease in the number of persons tried occurred mainly in the following districts :—Partábgarh (113), Hardoi (130), Fyzabad (119), Bara Banki (88), Sultanpur (72).

IMPERIAL RETURN No. III.
Proceedings under Criminal Procedure Code
Security for keeping the peace.

49. The number of persons called upon in 1891 to give security for good behaviour was 562 as against 644 in 1890. Of this decrease, Hardoi is accountable for 38, Rae Bareli for 37, Bara Banki for 27, and Sitapur for 18.

Security for good behaviour.

The Deputy Commissioners of Hardoi and Sitapur do not explain the cause of the decrease. Colonel Grigg, the Deputy Commissioner of Bara Banki, remarks—"The provisions of Chapter VIII in respect of security for good behaviour were not "put in force to any unusual extent. They were rigorously applied in 1889, when 93 "badmashes were convicted. Crime was rampant in 1888 and 1889, and it became "necessary to call upon the known bad characters to furnish security. Several of these "cases have come before me on appeal, and I have found the orders passed were "reasonable and proper. One of our worst characters was caught at Benares and was "run in by the Magistrate and Collector. A second, who had his appeal transferred "to another district as he considered me inimical, is languishing in jail. As a rule "these cases are taken up during the touring season."

Mr. Whish, Deputy Commissioner of Rae Bareli, writes—"The most noticeable fluctuation under this head is under the third item, security for good behaviour. "It is gratifying to note this decrease, for I think it shows that the campaign against "the bad characters of the district has not been unfruitful of results. Increased vigilance "and more efficient patrol on the part of the police has had the usual result of causing "an actual emigration from among the criminal population, and I can personally "testify to still more gratifying results, namely, the actual abandonment of crime and

"adoption of an honest livelihood by certain quondam bad characters. I continue per-
"sonally to supervise all proceedings under the bad livelihood sections of the code, and
"I think that I may say that they have been worked with discretion during the
"year."

Proceedings against local nuisances.

50. There was a considerable falling off in the number of persons concerned in local nuisances, and of those in whose cases orders were passed directing the abatement of nuisances, as compared with the figures for the previous year. In 1890 600 persons were charged with being concerned in local nuisances, of whom 333 or 55 per cent. were convicted as against 217 persons charged and 16·2 or 65 per cent. convicted in 1891.

Frivolous or vexatious complaints.

51. The number of persons called upon to pay compensation to accused persons under section 250, Criminal Procedure Code, during the year under report was 388, being 243 more than in the previous year. The districts which show a marked increase as compared with the figures for 1890 are—

Sitapur	+24	Kheri	+32
Fyzabad	+36	Sultanpur	+33
Partábgarh	+94		

This matter has been referred to in an earlier part of this report.

Imperial Return No. IV. Magisterial work.

52. During the year under report the number of persons under trial rose to 68,326 from 66,700 in 1890. The following table shows how they were disposed of in 1890 and 1891 :—

	1890.	1891.
Died, escaped, or transferred	111	293
Discharged or acquitted	32,262	34,213
Convicted on regular trial	27,573	27,154
„ summary trial	4,631	4,137
Committed or referred	697	833
Remaining under trial	1,426	1,097
Average duration of each case	(Days) 6 96	7·54

The percentage of convictions on the number of persons under trial in 1891 was 45·79, compared with 48·2 in 1890. Five districts were above the provincial average, *viz.*, Lucknow City (62·43), Fyzabad (54·63), Gonda (51·33), Partábgarh (48·53), and Bara Banki (48·19).

The highest percentages obtained in Tahsíldárs' Courts were 48·88 in Unao and 42·58 in Fyzabad; in native Magistrates' Courts, 61·76 in Lucknow City and 59·4 in Partabgarh, and in European Magistrates' Courts, 66·92 in Lucknow City and 62 4 in Fyzabad.

The highest percentages of convictions by benches of Honorary Magistrates were 76·90 in Rae Bareli and 69·56 in Hardoi. Honorary Magistrates sitting singly convicted 54 56 per cent of persons tried by them in Hardoi.

53. The only officer who makes any observations on this subject is the Deputy Commissioner of Fyzabad. He writes—"The percentage of convictions of the "bench is increased by the bye-laws and section 34 of Act V of 1861 cases in which from "the simplicity of the case conviction is usual. Tahsíldárs and native Assistants show "a low percentage of convictions, but until such tables to show such percentages are "prepared omitting all compoundable offences, no satisfactory conclusion can be "deduced from their examination. The district percentage of convictions has risen "owing to the increased number of theft cases and decreased number of hurt cases, for "convictions are usual in the former, and in the latter compromises are frequent."

54. The working of the different classes of Courts during the years 1890 and 1891 is exhibited in the subjoined comparative statement :—

Classes of Courts.	1890.		1891.	
	Number of persons disposed of.	Percentage on total number of persons disposed of.	Number of persons disposed of.	Percentage on total number of persons disposed of.
Unpaid Magistrates sitting singly	6,950	10·6	6,067	9 1
Benches of Magistrates	9,903	15 1	9,427	14·15
Local and subordinate paid Magistrates ...	13,788	21·1	16,044	24·08
Full power Magistrates of general jurisdiction. Natives ...	24,598	37·6	25,624	38·45
Full power Magistrates of general jurisdiction. Europeans...	7,722	11·8	7,536	11·31
Chief Magistrates of districts	1,489	2·2	1,393	2·09
Deputy Commissioners under section 30, Act X of 1882.	824	1·2	538	·8

Local and subordinate paid Magistrates and full-power native Magistrates disposed of a larger portion of criminal work in the year under report than during the previous year, while the amount of work done by European Magistrates in 1891 was almost the same as in 1890. I notice with regret that Deputy Commissioners tried a smaller number of cases in the exercise of their enhanced power, the figures for the two years being 824 and 538 respectively.

In 1891 the 44 Honorary Magistrates who sat singly disposed of 3,241 cases involving 6,067 persons. During the preceding year 3,757 cases in which 6,950 persons were involved were disposed of by 41 Honorary Magistrates.

55. The Honorary Magistrates who decided the largest number of cases during 1891 are named below :—

M. Muhammad Khalil-ullah Khan, Kheri	357
Munshi Ali Bakhsh Khan, Unao	273
Rája Jagmohan Singh, Rae Bareli	263
S. Tásadduk Husain, Kheri	203
Munshi Muhammad Yahia, Bara Banki	194
Rája Partab Bahádur Singh, Partábgarh	183
Munshi Inayat-ulla Khan, Hardoi	143
Pandit Raghubar Dayal, Bara Banki	114
Thakur Surat Singh, Hardoi	102

56. The benches of Honorary Magistrates who disposed of more than 100 cases each during the year under report are detailed below :—

Lucknow City	2,588
Fyzabad	1,241
Rae Bareli	526
Gonda	420
Hardoi	381
Sitapur	245
Kheri	231

57. The Deputy Commissioner of Lucknow mentions the names of the following Honorary Magistrates of the Lucknow Bench as deserving of commendation for their regular attendance :—Lala Bishambhar Nath, Hakim Muhammad, Saiyid Nazir Husain, Babu Murli Manohar Rae Bahádur, Babu Sheo Parshad.

58. The valuable assistance rendered by Honorary Magistrates, whether sitting in benches or singly, is acknowledged by all District Magistrates, with the exception of two, one of whom (Bahraich) finds fault with an Honorary Magistrate, and the other (Bara Banki) with the bench of Honorary Magistrates of his district for great dilatoriness.

59. The following statement shows the work disposed of by Deputy Commissioners in 1891 :—

Names of Deputy Commissioners.	District.	Period during which charge was held.	Number of cases disposed of. Under their ordinary powers.	Under section 30, Criminal Procedure Code.	Under their summary powers.
Mr. F. B. Mulock	Lucknow ...	Nine months	27	12	...
„ C. W. W. Hope		Three months	10	5	2
„ W. H. Cobb			12	6	...
Colonel E. E. Grigg	Bara Banki...	Whole year	65	103	10
Mr. H. H. Butts	Sitapur ...	1st January to 12th April ...	21	11	...
Colonel N. M. T. Horsford ...		13th April to 31st December...	6	13	1
„ T. R Cowie	Kheri ...	1st January to 6th April ...	4	14	6
Mr. J. Nugent		7th April to 12th November...	29	12	26
Colonel W. P. Harrison ...		13th November to 31st December.	...	1	12
„ N. M. T. Horsford ...	Hardoi ...	1st January to 4th April ...	16	6	...
Mr. H. V. Lovett		5th April to 12th August ...	46	14	9
Colonel T. J. Quin		13th August to 31st December	24	10	2
Mr. A. W. Shakespear ...	Unao ...	Whole year	9	14	1
„ A. Robinson	Fyzabad ...	1st January to 12th March ...	...	5	...
„ R. E. Hamblin		13th March to 31st December	5	15	1
Colonel F. Barrow	Gonda ...	Whole year	13	26	6
Mr. H. W. Gibson	Bahraich ...	Whole year except three weeks	8	40	29
„ F. J. Cook		Three weeks in September ...	1	1	5
„ C. W. Whish	Rae Bareli ...	Whole year	75	15	6
„ P. J. White	Sultánpur ...	1st January to 2nd September and from 4th to 31st December.	11	8	4
„ H. V. Lovett		3rd September to 3rd December.	9	7	4
Colonel Quin	Partábgarh ...	1st January to 13th May 1891	2	7	3
Mr. J. Sanders		14th May to 31st December...	11	5	9
		Total for 1891 ...	404	350	136
		„ 1890 ...	708	504	159
		Difference ...	−304	−154	−23

During 1891 Deputy Commissioners disposed of, under their enhanced powers, section 34, Criminal Procedure Code, 350 cases against 504 in the preceding year. The work thus disposed of, though less than in the previous year by 154 cases, is in excess of that of 1888 by 101 cases.

Colonel Grigg, as usual, did excellent work, having disposed of 103 such cases as against 60 in the preceding year.

The amount of criminal work disposed of by Deputy Commissioners under their ordinary powers has also decreased very considerably, being 304 cases less than the figures for 1890.

Mr. Mulock, the Deputy Commissioner of Lucknow, writes with regard to the decrease in the number of cases disposed of under section 34, Criminal Procedure Code—

"The decrease in the number of cases coming before the Deputy Commissioner "is to a great extent due to a number of habitual offenders and badmáshes having "been sentenced to imprisonment, in default of finding security to be of good be- "haviour, and to many more having left the district against whom proceedings had "been commenced under the bad livelihood sections of the law."

The Deputy Commissioner of Fyzabad remarks—"Owing to my finding it "necessary to devote time tobecoming acquainted with Oudh laws and customs, I "found I had little leisure for original case work."

The Sessions Judge, Mr. Wyer, notes on above—"Mr. Hamblin has, I know, "had his hands very full of work during the time he has held charge. I am not sure "that it is wise to press the Magistrate to try a large number of cases under his

"enhanced powers. On the whole, I think that the time has almost come for abolish-
"ing these extraordinary powers in Oudh. Such powers are not exercised in the
"rest of the province, *i.e.*, in the North-Western Provinces portion, and I do not see
"why they be retained in Oudh."

The Deputy Commissioner of Bahraich remarks—"My own work under section
"34, Criminal Procedure Code, fell from 50 to 41 cases. Some cases occurred when I
"was a long way from headquarters, and it was more convenient to the public to
"have them tried there."

The Deputy Commissioner of Rae Bareli, who decided only 15 cases under his enhanced powers, writes—

"I suppose that the small amount of original criminal work performed by me
"will be the subject of unfavourable comment; but there seems to have been a general
"consensus of opinion that since the separation of executive and judicial functions
"in Oudh, in April last, District Officers would be only expected to take up such cases
"as they considered it advisable from an administrative point of view to be tried by them,
"so that possibly the figures of other districts may be also low. I have already
"expressed my views on this point in this office memorandum dated 28th October 1891,
"which is in the Judicial Commissioner's office. Since writing this memo. I have so
"far modified my views as to admit that it is desirable that District Officers should
"take up, if possible, all cases of incorrigible offenders under section 75, Indian Penal
"Code. But I cannot believe that it can be the intention of Government that we
"should continue to do any portion of the legitimate work either of our subordinates
"or of the Sessions Court. In fact it can be shown that the Sessions Courts would,
"in common with the general public, suffer if the District Magistrate's time was
"taken up too much by original criminal work. I think the Judge would certainly
"find that he had more appeals, more miscellaneous work, even more original cases,
"certainly worst prepared ones which took up more of his time, if general superin-
"tendence was lax, because the officer who should have been directing and supervising
"others was doing their work. Whatever may be the upshot of this controversy, it is
"to be hoped it will not take the form of requiring a certain numerical standard of
"work per annum. If this were the case an officer who by vigorous administration
"had temporarily stamped out crime in his district might be actually blamed for the
"result! I may add that acquaintance with the characters and work of police officers
"in his district, which is sometimes urged as an argument in favour of a District Officer
"doing original work, I have always looked upon as his most important duty to be done
"in a direct and not an indirect way."

The Deputy Commissioner of Sultánpur thus explains the falling off in the number of cases disposed of by him under section 34, Criminal Procedure Code:—"The
"Deputy Commissioner for his share is generally roundly condemned under this
"table, but the district is an exacting one on the administrative side in the various
"departments, and I am sure that if the time required for vigilance and guidance
"in such directions were curtailed and diverted to the performance of more original
"criminal case work, the efficiency of the administration would suffer and the public
"service would not gain. Of course a reason of this kind *can* be cheaply stigmatized
"as a general excuse for laziness., but the test of its genuineness is the show made
"by the districts in the periodical searching examination of the Commissioner of the
"Division and other inspecting officers." He adds—"I venture to say that a large
"amount of criminal work by the Deputy Commissioner and a sustained, thorough
"supervision on his part of every branch of district administration, such as shall
"make his controlling hand everywhere consistently felt, both these together, are
"unattainable in full measure. The strain can only be tightened on one side by first
"being relaxed on the other. I shall, however, in obedience to the orders of Govern-
"ment, give more time in future to deciding cases under section 34, Criminal Procedure
"Code." * * * *

60. My views on this question will be found expressed in my No. 2436 of December 21st, 1891, and in paragraphs 4 and 5 of my No. 2481, of December 24th, 1891.

Pending cases.

61. The year closed with 657 cases pending against 678 pending at the close of 1890. As in previous years, Hardoi showed the highest number of pending cases, *viz.*, 124. The lowest number pending was at Kheri, 27 cases.

Duration of trial.

62. The average duration of cases was 7·54 as against 6 96 in 1890. It has risen in the Courts of Honorary Magistrates sitting singly from 5·4 to 7·5, in the Courts of Tahsíldárs from 5·4 to 6·16, and in the Courts of native Assistants from 8·8 to 10·9. On the other hand, it has fallen in the Courts of European Assistants from 7·5 to 5·8, in the Courts of Deputy Commissioners in the exercise of ordinary jurisdiction from 6·3 to 3·29, and in cases under section 30, Act X of 1882, from 11·48 to 10·48, and in the benches of Honorary Magistrates from 4 to 3 9 days.

The highest and lowest averages in the different classes of Courts were as follows :—

Classes of Courts.	Provincial average.	Lowest average.		Highest average.			
Benches of Magistrates ...	3·95	Rae Bareli ...	1·23	Kheri ...	6 67	Gonda ..	6 53
Honorary „	7·57	Gonda ...	2 58	„ ...	18·16	Partábgarh	10·38
Tahsíldárs	6·16	Sultánpur ..	2 69	Partábgarh	19·26	Hardoi ...	10·52
Native Assistants	10 94	Bara Banki .	5·50	„	20 89	Lucknow ...	14 64
European „	5·84	Rae Bareli ...	2 14	„	13·06	Hardoi ...	10 10
District Magistrates, ordinary jurisdiction.	3·29	Sitapur	1 35	Fyzabad .	13·16	Bahraich ...	10 23
District Magistrates, powers under section 30, Criminal Procedure Code.	10 48	Bara Banki...	2·80	„ ...	37 35	„ ...	15·75

In the Courts of Session the average duration of trials has risen from 50·14 in 1890 to 59·40 days in 1891. This abnormal increase will, I anticipate, be temporary, and is probably attributable to the sudden change of system introduced by Act XX of 1890.

Convictions obtained.

63. The percentages of convictions and committals to the total number of persons disposed of in each district during 1890 and 1891 are shown in the following table :—

	1890.	1891.	Difference.
Partábgarh	47 21	50·96	+3·75
Sultánpur	36·48	39·21	+2·73
Fyzabad	53·54	55·16	+1·62
Bara Banki	50·8	51·7	+·9
Gonda	53 22	54·06	+·84
Rae Bareli	45·17	43·12	−2·05
Sitápur.	44·98	41·92	−3·06
Lucknow City	67·64	64·38	−3·26
Lucknow	51·87	47·81	−4 06
Hardoi	53 83	47·19	−6·64
Bahraich	50·91	44·17	−6·74
Unao	55·01	47·63	−7·38
Kheri	38·	30·	−8·

Eight district percentages are above the provincial average. The percentages of five districts show a small increase, while, on the other hand, eight districts show a decrease as compared with the figures of the preceding year. The falling off in convictions is very marked as regards Kheri, Unao, Bahraich, and Hardoi, and the District Officers have not given any explanation.

64. The percentages of convictions and committals to the number of persons tried by the several classes of Courts during 1890 and 1891 are shown in the subjoined table :—

Classes of Courts.	1890.	1891.	Difference.
Unpaid Magistrates sitting singly	38·34	32 53	−5·81
Benches of Magistrates	62 58	63·58	+1·05
Local and subordinate paid Magistrates	40·61	33 10	−7 51
Full-power Magistrates of general jurisdiction. { Native ...	53 83	51 94	−1 89
{ European ...	44 17	53·58	+9 41
Chief Magistrates of districts	79 85	80·37	+ ·52
Deputy Commissioners under section 34, Criminal Procedure Code	72 81	70 27	−2 54

The decrease in the percentage of convictions occurs mainly in the Courts of Honorary Magistrates and Tahsíldárs, who take cognizance mainly of petty compoundable cases.

Summary trials.

65. There were 3,467 summary trials as against 3,956 in 1890. The Lucknow City Bench tried 1,769 cases summarily and passed 2,255 appealable sentences, of which 5 were appealed. The total number of appealable sentences passed in all districts was 2,312. A very large proportion of the cases summarily tried were offences coming under the head of local nuisances and municipal bye-laws. This accounts for the small number of appeals.

References for enhanced punishment.

66. References to Deputy Commissioners for enhanced punishments rose from 533 in 1890 to 635 in 1891 and were thus disposed of, *viz.*, 583 were confirmed, 16 modified, and 35 reversed.

References of certain cases tried under section 30, Act X of 1882.

67. The cases of 64 persons were referred by Deputy Commissioners to Sessions Judges for confirmation of sentence. In 61 cases the sentences were confirmed and were modified in 3.

IMPERIAL RETURNS NOS. V AND VA. Punishments.

68. The total number of persons who were punished during the year under report was 33,926, as compared with 35,317 in 1890. The detail of punishments awarded is as follows :—

	Number of persons punished.		Percentage on total number of punishments.	
	1890.	1891.	1890.	1891
Transportation	...	8	...	·23
Rigorous imprisonment ...	10,334	10,314	29 2	30 40
Simple „ ...	482	505	1·4	1·5
Forfeiture of property ...	...	1	...	.
Fine	19,873	18,509	59 1	54 56
Whipping	2,475	2,728	5·7	8 04
Persons ordered to give security ...	2,153	1,861	4·4	5·48

The number of persons sentenced to rigorous imprisonment is almost the same in each year. Sentences of fine were fewer by 1,364, while those of whipping rose by 253.

Terms of imprisonment.

69. Percentages of terms of imprisonment for 1890 and 1891 are given below :—

	1890.	1891.
For fifteen days and under	21 2	21 8
„ six months	53 2	52 8
„ two years	22 5	23 4
Over „	3 0	2 7

In the case of nine juvenile offenders the sentences were commuted to detention in the reformatory school at Bareilly.

Whipping.

70. The percentages of sentences of whipping in 1890 and 1891 were as follow :—

	1890.	1891.
10 stripes and under	35·9	48·9
20 „ „	47 2	42 3
30 „ „	16·7	8 7

71. Sessions Judges and Magistrates are unanimous in the opinion that whipping is the most suitable punishment for certain classes of offences, and the Deputy Commissioners of Sitapur, Hardoi, Gonda, and Bahraich have noticed with dissatisfaction the decrease, in their districts, in the number of sentences of whipping inflicted by

subordinate Magistrates. The Deputy Commissioner of Hardoi remarks—"I think "that whipping is still not sufficiently inflicted. But G. O. No. 667, of 11th Septem- "ber 1867, leaves a loophole for Magistrates who are timid regarding the feelings "of their co-religionists to spare all persons who do not belong to the very lowest "classes. A Hindu Magistrate will hardly ever whip a Brahman, Thakur, or Bania, "however bad a character the latter may be, nor will a Muhammadan Magistrate whip "the most hardened criminal if he belongs to any but the more degraded classes, *e.g.*, "butchers, behnas, and kunjras, &c."

Persons fined.

72. The total number of persons fined fell from 19,873 in 1890 to 18,509 in the year under report. There was a decrease of 1,446 persons fined "Rs. 10 and under" and of two persons fined "Rs. 1,000 and under," and an increase of 79 persons fined "Rs. 50 and under," of 2 persons fined "Rs. 100 and under," and of 3 persons fined "Rs. 500 and under" as compared with the figures for 1890. The Lucknow City Bench fined 2,647 persons in 1891 as against 2,859 in the previous year.

Fines imposed and realized.

73. The total amount of fines imposed during the year under report was Rs. 96,799-0-7, as compared with Rs. 99,271-2-0 in 1890. But the percentage of realizations was much better in 1891 than in the preceding year, the figures for the two years being 86·5 and 78·4 per cent. respectively.

The district percentages of realizations were—

Sultánpur	92·22
Bahraich	90 9
Bara Banki	90·68
Sitapur	87·98
Lucknow City...	87·72
Partábgarh	86·81
Hardoi	86 57
Kheri	84·
Gonda	81·57
Fyzabad	80·44
Rae Bareli	78·89
Unao	73·15
Lucknow	71·34

The large proportions of fines realized show that sentences of fines are judiciously inflicted by Magistrates. The Lucknow City bench realized Rs. 2,714 out of Rs. 2,901 imposed as fines.

Outstanding fines.

74. The amount of outstanding fines at the close of the year under report was Rs. 10,507, as compared with Rs. 10,390 at the close of 1890. The heaviest outstandings were at Lucknow City (Rs. 3,975), Partábgarh (Rs. 2,016), and Fyzabad (Rs. 1,427).

Compensation paid.

75. The total amount of compensation awarded to injured persons during 1891 was Rs. 13,487, out of Rs. 83,755, the amount of fines realized, being 16 per cent. as compared with 17·3 per cent. in 1890.

Habitual offenders.

76. During the year 1,407 habitual offenders were brought to trial as compared with 1,399 in 1890. The percentages of persons who had been convicted once before and of those who had been convicted oftener were 66·31 and 33·69 respectively, as compared with 59·1 and 40·9 in the previous year.

IMPERIAL RETURN NO. VI.
Appeals to Deputy Commissioners.

77. The number of appellants to Deputy Commissioners decreased from 1,274 in 1890 to 1,191 in the year under report. Appeals were rejected or sentences confirmed in the cases of 773 persons or 64·9 per cent. The sentences passed on 144 persons or 12·09 per cent. were reduced or otherwise altered, and on 222 persons or 18·6 per cent. were reversed. Proceedings were quashed in the case of 1 person, and new trial or further enquiries were ordered with regard to 20 persons. The appeals of 31 persons remained pending

at the close of the year. The average duration of each appeal was 10·25 days as compared with 8·79 days in 1890.

Revision and supervision.

78. In 1891 applications for revision made to Deputy Commissioners under section 435, Criminal Procedure Code, numbered 433 as against 450 in the previous year. Of the 951 persons concerned in these 433 applications, sentences were confirmed or applications were rejected as regards 760 persons or 80 per cent., the sentences were reversed, modified, or proceedings quashed with regard to 13 persons, and a new trial or further inquiry was ordered in respect of 149 persons. The cases of 16 persons were referred to the Judicial Commissioner, and applications involving 13 persons remained pending at the close of the year. During 1891 Deputy Commissioners called for and inspected the records of 1,628 cases connected with 2,691 persons. Twenty cases involving 28 persons were referred to this Court.

Colonel Grigg called up 368 cases, and Colonel Quin and Mr. Sanders, Deputy Commissioners of Partábgarh, called up 262 cases. Mr. P. J. White called up 214 cases.

Witnesses examined.

79. During the year 108,451 witnesses were examined in the Courts of Magistrates, being 1,729 less than the number examined in the preceding year; 94 per cent. of the witnesses thus examined were discharged on the day on which they attended, and 5,325 or 4·9 per cent. were discharged on the second day of attendance. Only 120 witnesses are said to have been detained more than 2 days.

Witnesses dieted.

80. The number of witnesses who received diet money and road expenses in 1891 decreased by 2,484, as compared with the figures for 1890. The following table shows the number of witnesses dieted and the amount paid to them during the past two years :—

	Number of witnesses.	Total cost.	Average cost per witness.
		Rs.	Re. a. p.
1890	61,404	29,550	0 7 8
1891	58,920	27,990	0 7 5

It will be seen that the payments made to witnesses have decreased almost in proportion to the decreased number of witnesses whose expenses were paid, the average per head having only slightly fallen off by about 3 pie.

The variations in different districts are pretty nearly the same as in the preceding year.

Weeding records.

81. The work of weeding the records of Criminal Courts has received proper attention during the year under report. In Lucknow no less than 11,084 A and 2,175 B files were weeded, and the reports from other districts show that work is up to date.

IMPERIAL RETURN No. IV. Sessions Courts.

82. The six Sessions Judges disposed of 431 cases involving 764 persons as compared with 321 cases and 530 persons in the previous year. The following comparative statement shows the work of the Sessions Courts during 1890 and 1891 :—

Sessions Courts.	Disposed of.				Pending at the close of—				Average duration of each case from date of commitment.	
	1890.		1891.		1890.		1891.			
	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	1890.	1891.
Lucknow	116	175	103	155	15	22	9	18	46	47
Sitapur	68	113	59	96	14	24	8	8	48	91
Hardoi	...	...	73	142	...	...	9	14	...	57·
Fyzabad	75	135	34	62	10	20	5	9	54	44·
Gonda	...	...	85	153	...	...	10	10	...	54·
Rae Bareli ...	62	107	77	156	6	14	9	14	48	66·

The year under report closed with 50 cases pending as compared with 45 that remained pending at the close of 1890. Out of the 8 cases pending at Sitapur 3 cases relate to lunatics, two of whom were sent to the Lunatic Asylum so far back as 1887 and 1888, and 1 was sent to the Lunatic Asylum in 1891. Out of 9 cases pending at Lucknow, 7 cases were received towards the end of October and November, and the 5 cases pending at Fyzabad were received on or after the 10th December and could not be fixed for hearing before the close of the year. The average duration of sessions trials in Sitapur has risen from 48 in 1890 to 91 days in 1891, and in Rae Bareli from 48 in 1890 to 66 days in 1891, while, on the other hand, it has decreased by 10 days in Fyzabad.

83. The sentences passed by Sessions Judges during the years 1890 and 1891 are shown in the subjoined table :—

IMPERIAL RETURN No. V. Punishments.

	1890.	1891.
Death	42	21
Transportation	154	80
Rigorous imprisonment	179	285
Simple „	3	5
Fine	19	33
Whipping	9	6

The most noteworthy feature of the above statement is that the great decrease in the number of capital sentences and of sentences of transportation passed by the new tribunals is just counterbalanced by an almost equal increase in the number of sentences of rigorous imprisonment.

Out of Rs. 8,093, being the amount of fines imposed during the year under report, Rs. 1,239 or 15 per cent. were realized and Rs. 205 were paid as compensation to injured persons, the figures for the preceding year being Rs. 710 fines imposed and Rs. 1,390 realized. No portion of the fines realized was paid to injured parties by way of compensation in 1890.

84. There were 46 trials by jury in the Lucknow Sessions Court against 32 in 1890. In 45 of these cases the Judge approved of the verdict of the jury; and in 1 case he made a reference, under section 263, Criminal Procedure Code, to the Judicial Commissioner. Out of 334 cases tried in Sessions Courts with the aid of assessors, in 241 the Sessions Judge agreed with the assessors and in 93 he disagreed with them.

IMPERIAL RETURN No XIII. Trials by jury and with assessors.

85. In 1891 Sessions Judges examined 4,819 witnesses, being 1,147 more than the number examined in the previous year. Rs. 6,236 were paid to 4,056 witnesses as diet money and travelling expenses, the average cost per witness being Re. 1-8-7 as against Re. 1-7-10 in 1890 and Re. 1-10-6 in 1889.

Witnesses examined.

86. During the year appeals by 3,223 persons as against 3,011 in 1890 came before Sessions Judges. Of these the appeal was rejected or the sentence confirmed in the cases of 2,415 persons, or a little over 74 per cent. The sentences passed on 183 persons were modified and were reversed in the cases of 346 persons. Proceedings were quashed in 6 cases, and a new trial or further enquiry was ordered in the cases of 124 persons. Three cases were referred for revision to this Court, and 155 cases remained pending at the close of the year.

IMPERIAL RETURN No. VI. Appeals.

87. The average number of days during which each appeal lasted was 16·31 days as against 11·27 in 1890. The highest average duration was 25 days in the Sessions Court of Rae Bareli, and the lowest was 4 days in the Sessions Court of Hardoi. I can hardly believe that this last mentioned figure is correct. Further enquiry respecting it will be made when Colonel Cowie returns from leave next month. As the Sessions Judge of Rae Bareli has three revenue districts within his Sessions

Division, and has to hold no less than 20 sessions during the year, he cannot be expected to dispose of appeals quickly. I am inclined to think that this Sessions Judge has more criminal work on his hands than he can well do, regard being had to his other work. Probably I shall submit a separate report on this matter to Government.

Revision.

88. Applications for revision were made to Sessions Judges by 324 persons in 1891 as against 250 in the preceding year. The number of persons concerned in these 324 applications was 484, as compared with 404 in 1890.

The applications were rejected or sentences were confirmed with regard to 365 persons or 75 per cent. Nine sentences were reversed. New trial or further enquiry was ordered in the cases of 14 persons, and the cases of 18 persons were referred for revision to this Court. Forty-eight applications remained pending at the end of the year.

89. No cases were called up *suo motu* and inspected by Sessions Judges during the year under report. The Sessions Judge of Gonda says—"My predecessor had his "hands full in starting the Judgeship. I only took charge at the close of the year "myself." The other Judges are silent as to this matter.

Court of Judicial Commissioner, Oudh.

90. The subjoined table shows the number of persons dealt with by the Judicial Commissioner during 1891 :—

Reports for confirmation of capital sentence	20
Appeals	289
Applications for revision by parties	249
References by Sessions Judges and Deputy Commissioners	89
Cases called for *suo motu* by the Judicial Commissioner	32

The capital sentences passed upon 14 persons were confirmed, and in the case of 1 person the sentence was modified to one of transportation for life. Five persons were acquitted. Since the passing of Act XIV of 1891 these references for confirmation of capital sentences are heard by the Judicial Commissioner and Additional Judicial Commissioner sitting together.

91. The office of Judicial Commissioner was held by—

Mr. W. Young, C.S.I., from 1st January to 27th May 1891.
„ W. R. Burkitt from 28th May to 6th July 1891.
„ W. Young, C.S.I., from 7th July to 15th December 1891.
„ W. R. Burkitt from 16th to 31st December 1891.

and the office of Additional Judicial Commissioner was held by—

Mr. J. Dyson from 1st January to 7th March 1891.
„ W. R. Burkitt from 8th March to 27th May 1891.
„ M. S. Howell, C.I.E., from 28th May to 6th July 1891.
„ W. R. Burkitt from 7th July to 15th December 1891.

I have the honor to be,

SIR,

Your most obedient servant,

W. R. BURKITT,

Judicial Commissioner.

IMPERIAL RETURN No. I.—(Civil and Criminal).

Showing the number of judicial divisions and the number of officers exercising original or appellate jurisdiction in the Province of Oudh on the last day of the year 1891, *with the cost of tribunals.*

Name of province.	Area.	Population.	Number of divisions for Courts under Chief Court but superior to Chief Courts of districts	Number of districts.	Number of sub-districts.	Total number of officers exercising original or appellate jurisdiction.					Total number of cases decided.				Total receipts of the Courts.	Total charges of the Courts.	Remarks.
						Judges of Chief Court of Province.	Judges of other Courts superior to Chief District Courts.	Judges of Chief Courts of Districts	Judges of District Courts other than Chief Courts.	Judges of other Subordinate Courts	Original.		Appeals.				
											Regular.	Miscellaneous.	Regular.	Miscellaneous.			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Territory subject to the Judicial Commissioner of Oudh. — Civil	23,992 square miles.	11,407,625.	6 divisions.	12 districts.		..	...	...	...	...	62,641	33,567	2,973	673	Rs. 10,47,796	Rs. 14,05,507	
Criminal						...	...	...	...	...	38,117	2,071	3,811	954			
Revenue (Rent)						...	...	...	..	..	...	...	...	...	...	...	
Charges incurred by the Public Works Department on account of buildings.						...	..	...	...	...	...	...	...	...	...	23,866	
Total ...	...	...	...	.	..	2	6	12	74	185	100,758	35,638	6,784	1,627	10,47,796	14,29,373	

Grades of Judicial Officers.		European.	Native.
Officers exercising both original and appellate jurisdiction.	Judicial Commissioners ...	2	...
	District & Sessions Judges	5	1
	Additional Judges ...	...	...
	Sub-Judges ...	1	11
Officers exercising original jurisdiction only.	Small Cause Court Judges.	...	1
	Munsifs	...	25

For Home, Revenue, and Agricultural Department.

	European.	Native.
Judicial Commissioners	2	...
Deputy Commissioners	12	
District and Sessions Judges	5	1
Subordinate Judges	1	11
Assistant Commissioners	10	1
„ Settlement Officers...	1	...

	European.	Native.
Deputy Collectors	3	44
City Magistrates	1	...
Cantonment Magistrates	2	...
Tahsíldárs	...	43
Munsifs	...	25
Judges, Small Cause Court	...	1
Honorary Assistant Commissioners	6	117
Total ...	43	243

IMPERIAL RETURN No. II.—(CRIMINAL).

Statement of offences reported and persons tried, convicted, and acquitted of each class of offence in the Province of Oudh in the year 1891.

Description of offence.	Number of offences reported.	Number of cases returned as true.	Number of cases brought to trial during the year.	Number of persons—					Remarks.
				Under trial during the year, including pending from previous year.	Acquitted or discharged.	Convicted.	Died, escaped, or transferred to another province.	Remaining under trial.	
1	2	3	4	5	6	7	8	9	10
Offences against the State, Chapter VI of the Indian Penal Code	...	...	...	...	...	...	...	...	
„ relating to the Army and Navy, Chapter VII	...	...	...	...	...	...	...	...	
„ against the public tranquillity, Chapter VIII	531	351	363	2,180	848	1,021	6	305	
„ by or relating to public servants, Chapter IX	81	53	55	82	30	45	1	6	
Contempt of the lawful authority of public servants, Chapter X	785	687	706	1,316	406	781	2	47	
False evidence and offences against public justice, Chapter XI	505	422	440	612	266	323	2	21	
Offences relating to coin and Government stamps, Chapter XII	92	80	83	88	33	54	...	1	
„ „ weights and measures, Chapter XIII	60	55	55	69	39	29	...	1	
„ affecting the public health, &c, Chapter XIV	297	259	259	428	115	309	...	4	
„ relating to religion, Chapter XV	90	41	42	77	55	15	1	6	
Offences affecting the human body; Chapter XVI. — Offences affecting life	647	577	610	883	320	472	7	84	
Causing of miscarriage, injury to unborn children, exposure of infants, and the concealment of births.	72	55	55	64	18	46	...	...	
Hurt	11,445	7,497	7,673	16,609	13,293	2,847	5	464	
Wrongful restraint and wrongful confinement	345	130	133	298	261	30	...	7	
Criminal force and assault	3,134	2,006	2,059	4,398	3,494	792	3	109	
Kidnapping or forcible abduction, slavery, forced labour, and buying or selling a minor for the purpose of prostitution.	179	73	75	144	41	91	6	6	
Rape	82	44	47	58	31	25	...	2	
Unnatural offence	44	32	36	41	17	18	1	5	
Offences against property, Chapter XVII. — Theft	8,727	6,456	6,533	8,390	2,127	6,171	17	75	
Extortion	225	54	58	110	75	32	...	3	
Robbery and dakaiti	266	144	150	373	206	163	1	3	
Criminal misappropriation of property	133	92	92	126	37	83	...	6	
„ breach of trust	337	189	197	241	120	103	1	17	
Receiving stolen property	1,376	1,336	1,351	1,890	489	1,377	4	20	
Cheating	340	128	133	193	123	53	4	13	
Fraudulent deeds and disposition of property	10	4	4	7	7	...	...	...	
Mischief	2,025	1,117	1,150	2,399	1,821	486	3	89	
Criminal trespass	5,305	3,700	3,784	5,969	2,767	3,059	16	127	
Offences relating to documents and to trade or property marks, Chapter XVIII	70	31	35	58	39	14	2	3	
Criminal breach of contract of service, Chapter XIX	8	3	3	4	4	...	...	...	
Offences relating to marriage, Chapter XX	1,442	835	875	1,063	885	144	2	32	
Defamation, Chapter XXI.	431	168	171	238	195	35	...	8	
Criminal intimidation, insult, and annoyance, Chapter XXII	333	167	170	344	276	51	1	16	
Offences under the Criminal Procedure Code and offences against special and local laws ...	12,225	10,684	10,785	19,579	6,051	13,024	214	290	
Total ...	51,642	37,470	38,182	68,331	34,569	31,693	299	1,770	

JUDICIAL STATEMENT

Showing the general result of the trial of European British subjects

Description of offence.	Number of persons accused and brought before a Magistrate.						Died, escaped, or transferred to other provinces.	Number actually brought to trial	Persons whose cases were disposed of.													
		Within the year.							By District Magistrates and other 1st class Magistrates.							By Courts of Session.					By High Court.		
	Remaining at the close of the previous year.	On complaint, section 191(a), Criminal Procedure Code	On police report, section 191(b), Criminal Procedure Code	By Magistrate *suo motu*, section 191(c) of the Code.	On transfer from other provinces.	Total.			Received by transfer under section 451(b) of the Code.	Convicted.	Acquitted or discharged.	Committed To Courts of Sessions.	Committed To High Court.	Transferred by order under section 451(b) of the Code.	Total, omitting entries in columns 10 and 15.	Received by transfer under section 451(b) of the Code.	Convicted.	Acquitted or discharged.	Transferred to High Court under section 499 of the Code.	Total, exclusive of column 17.	Convicted.	Acquitted or discharged.	Total.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
False evidence, section 193, Indian Penal Code.	...	...	...	1	...	1	...	1	...	1	..	...	.	..	1	...	...	..	...	...	...	...	...
Voluntarily causing hurt, section 323, Indian Penal Code.	...	5	...	...	...	5	...	5	...	4	1	...	..	...	5	...	..	...	...	...	...	...	...
Using criminal force otherwise than on grave provocation, section 352, Indian Penal Code.	...	3	..	...	...	3	...	3	...	...	3	...	...	...	3	...	...	...	...	...	...	.	...
Theft in dwelling house, &c., section 380, Indian Penal Code.	...	...	2	...	...	2	...	2	...	2	...	...	..	...	2	...	...	...	...	...	...	...	...
Marrying again during the lifetime of wife, section 494, Indian Penal Code.	...	1	...	...	...	1	...	1	...	...	1	...	...	...	1	...	...	...	...	...	..	...	...
Intentional insult with intent to provoke a breach of the peace, section 504, Indian Penal Code.	...	3	...	...	...	3	...	3	...	2	1	...	.	...	3	...	...	...	...	...	...	...	...
Nuisance, section 34, Act V of 1861 ...	...	...	6	...	...	6	...	6	...	6	..	...	..	...	6	...	...	...	...	...	...	...	...
Gaming, section 13, Act III of 1867 ...	...	...	1	...	...	1	...	1	...	1	..	...	.	...	1	...	...	...	...	...	...	...	...
Total ..	...	12	9	1	...	22	...	22	...	16	6	...	...	...	22	...	...	...	...	...	...	...	...

No. IIA.—(CRIMINAL).

in the Courts of the Province of Oudh during the year 1891.

Total for all Courts.				Number of cases.						SUBSIDIARY TABLE.									
Convicted.	Acquitted or discharged	Total	Number of persons under trial.	Brought to trial.	Disposed of	Pending.	Number of persons who applied to the High Court from order under section 456 of the Code.	Of those entered in column 5, number who applied under section 21, Act III of 1884, for transfer or committal of their cases.	Number of persons who applied to the High Court under section 526 of the Code for the transfer of their cases.	35							36			
										Of the total number of persons shown in —							Of cases shown in column 30.			
										Column 16.			Column 17.		Columns 21 and 22.		Disposed of by Magistrates.		Disposed of by Sessions Judges.	
										Number who claimed to be tried by a mixed jury, section 451A(1) of the Code.	Number who did not so claim.	Number of those in column 35(1) whose cases were transferred under section 451 of the Code.	Number who claimed a mixed number of assessors, section 451(2) of the Code.	Number who did not so claim.	Number who claimed to be tried by a mixed jury, section 451(1) of the Code.	Number who did not so claim.	Being European British subjects.	Other than European British subjects.	Being European British subjects.	Other than European British subjects.
25	26	27	28	29	30	31	32	33	34	35							36			
										(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1	...	1	...	1	1	...	...	...	...											
4	1	5	...	5	5	...	...	...	...											
...	3	3	...	2	2	...	...	...	...											
2	...	2	...	2	2	...	...	...	...											
...	1	1	...	1	1	...	...	...	...											
2	1	3	..	1	1	...	...	...	...	...	...	...	...	...	...	...	19	...	...	...
6	...	6	...	6	6	...	...	...	...											
1	...	1	...	1	1	...	...	...	...											
16	6	22		19	19	...	..	..	...											

IMPERIAL RETURN No. III.—(CRIMINAL).

Statement of miscellaneous proceedings under the Code of Criminal Procedure in the province of Oudh during the year 1891.

Nature of proceedings.	Total number of cases held before the Courts during the year.	Number of persons concerned	Number of persons discharged.	Number of persons convicted	Remarks.
1	2	3	4	5	6
1 Proceedings against witnesses under Chapter VIc. and section 485 of Chapter XXXV	1	1	...	1	
2 „ under Chapter VIII to prevent breach of the peace	725	2,558	1,008	1,453	
3. „ „ security for good behaviour	423	592	151	411	
4. „ against local nuisances, Chapter X	123	261	85	162	
5. Possession, Chapter XII	67	183	110	64	
6. Frivolous or vexatious complaints summarily dealt with under Chapter XX, section 460	377	390	2	388	
7. Non-attendance of jurors or assessors, Chapter XXII, section 332	22	28	12	16	
8 Maintenance, Chapter XXXVI	781	782	583	185	
9 Forfeiture of bail or recognizance under Chapter XLII	55	73	37	31	
Total	2,574	4,868	1,988	2,711	

IMPERIAL RETURN No. IV.—(Criminal).

Statement showing the general result of criminal trials in the tribunals of various classes in the Province of Oudh in the year 1891.

Classes of Courts.	Total number of persons under trial.	Died, escaped, or transferred to another province.	Persons whose cases were disposed of.				Persons remaining under trial at the end of the year.	Number of cases disposed of during the year.	Average number of days during which each case lasted.	Number of witnesses examined.	Remarks.
			Discharged or acquitted	Convicted—		Committed or referred.					
				On regular trial.	On summary trial.						
1	2	3	4	5	6	7	8	9	10	11	12
Unpaid Magistrates sitting singly	6,307	5	4,088	1,970	2	2	240	3,241	7 57	7,995	
Benches of Magistrates	9,519	1	3,432	3,739	2,255	...	92	5,632	3·95	5,247	
Local and subordinate paid Magistrates	16,298	3	10,729	5,312	...	...	254	7,943	6 16	15,504	
Full power Magistrates of general jurisdiction. Natives	26,408	270	12,046	11,981	724	604	783	15,113	10·94	59,127	
Europeans	7,854	5	3,493	2,923	969	146	318	4,433	5 84	14,651	
Chief Magistrates of districts	1,381	5	264	904	187	16	5	543	5 57	1,800	
Deputy Commissioners under section 34, Act X, 1882 ...	560	4	161	325	...	65	5	350	10·14	2,820	
Total Magistracy ...	68,327	293	34,213	27,154	4,137	833	1,697	37,255	7·54	107,144	
Sessions Judges	837	6	356	402	...	...	73	431	59·40	4,864	

IMPERIAL RETURN No. V.—(Criminal).

Showing the punishments inflicted by the various criminal tribunals in the Province of Oudh in the year 1891.

Classes of Courts.	Persons sentenced to—								Persons ordered to find or give security or recognizance to keep the peace or securities for good behaviour.	Persons imprisoned in default of security for good behaviour.	Detail of punishment.																		Number of boys whose sentences were commuted to detention in a reformatory school.
				Imprisonment.							Fine.									Imprisonment.					Whipping.				
	Death.	Transportation	Penal servitude.	Rigorous.	Simple.	Forfeiture of property.	Fine.	Whipping.			Rs. 10 and under.	Rs. 50 and under.	Rs. 100 and under.	Rs. 500 and under.	Rs. 1,000 and under.	Above Rs. 1,000.	Total amount of fines imposed during the year	Total amount of fines realized during the year	Amount paid by way of compensation.	15 days and under	6 months and under.	2 years and under.	7 years and under.	Above 7 years	10 stripes.	20 stripes.	30 stripes.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
																	Rs a p.	Rs a. p.	Rs. a. p.									
Honorary Magistrates sitting singly.			...	698	41	...	1,086	159	10	...	982	102	2	..	...		5,556 4 3	5,214 2 5	666 10 0	264	439	36	...	...	78	55	26	...
Bench Magistrates ...	...	...	...	196	13	..	6,024	9	...	..	5,959	63	2	..	.		5,746 6 1	5,288 13 9	415 4 0	96	113	...	...	..	8	1	...	...
Stipendiary Magistrates sitting singly.		...	...	8,868	438	1	11,167	2,044	1,692	261	9,583	1,470	78	30	1		81,096 12 3	68,565 2 10	10,941 10 4	1,970	4,997	2,338	1	..	950	926	168	6
District Courts—Cases decided under section 34, C. P. C.	.	. 8	...	299	3	...	49	38	...	...	16	27	4	1	1		2,006 0 0	2,260 10 0	1,274 7 0	2	28	64	208	...	8	20	10	...
Chief Magistrates of districts.	...	...	...	253	10	...	183	478	159	70	137	41	5	...	...	.	2,303 10 0	2,427 2 0	189 7 0	26	125	95	15	...	291	152	35	3
Total ...	...	8	...	10,314	505	1	18,509	2,728	1,861	331	16,682	1,703	91	31	2	..	96,799 0 7	83,755 15 0	13,487 6 4	2,360	5,702	2,533	224		1,335	1,154	239	9
Courts of Sessions Judges	21	79	...	281	5	...	31	6	...	...	4	17	3	5	1	1	8,093 15 0	1,239 12 0	205 0 0	1	29	70	170	16	1	3	2	...

IMPERIAL RETURN No. VA.—(CRIMINAL).

PART I.

Showing whippings inflicted under sections 2 and 3, Act VI, 1864, in lieu of other punishments.

Offences for which awarded.	Number of stripes awarded.												Total.	Remarks.
	5 and under.		6 to 10.		11 to 15.		16 to 20.		21 to 25.		26 to 30.			
	1st conviction.	2nd or subsequent conviction.	1st conviction.	2nd or subsequent conviction.	1st conviction.	2nd or subsequent conviction.	1st conviction.	2nd or subsequent conviction.	1st conviction.	2nd or subsequent conviction.	1st conviction.	2nd or subsequent conviction.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
IN LIEU OF OTHER PUNISHMENTS. (SECTIONS 2 AND 3, ACT VI, 1864.)														
1. Theft as defined in ... Sec. 376, I. P. C. ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
„ 377 „ ..	...	...	...	...	...	...	...	...	...	...	...	...	...	
„ 378 „ ...	140	4	490	3	308	7	192	5	27	2	47	8	1,233	
„ 380 „ ...	35	...	159	1	100	6	53	2	8	1	4	1	370	
„ 381 „ ...	5	...	11	1	11	...	8	...	...	...	4	...	40	
„ 382 „ ...	...	...	1	...	...	...	...	...	...	...	4	...	5	
2. Extortion as defined in ... „ 388 „ ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
„ 389 „ ...	...	...	...	...	1	...	...	...	...	...	...	...	1	
3. Punishment for robbery ... „ 392 „ ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
4. Dishonest misappropriation of property as defined in ... ... „ 403 „ ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
5. Criminal breach of trust as defined in ... ... „ 406 „ ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
6. Dishonestly receiving stolen property as defined in ... „ 411 „ ...	19	1	84	...	65	...	39	...	9	...	17	...	234	
„ 412 „ ...	...	...	1	...	3	...	5	...	2	...	...	...	11	
7. Lurking house trespass as defined in „ 443 „ ...	2	...	9	...	5	...	4	...	5	...	15	...	40	
8. „ „ by night as defined in ... ... „ 444 „ ...	2	...	12	...	13	1	10	...	7	...	6	1	52	
„ 454 „ ...	7	...	21	...	14	1	33	...	6	...	2	...	84	
9. House-breaking as defined in ... „ 445 „ ...	1	...	24	...	24	...	16	2	...	...	2	...	69	
10. House-breaking by night as defined in ... ... „ 446 „ ...	4	...	12	...	45	...	19	1	10	...	7	...	98	
Lurking house-trespass as defined in... „ 448 „ ...	...	...	1	...	...	...	1	...	...	...	...	...	2	
House-breaking as defined in ... „ 456 „ ...	1	...	4	...	2	...	...	...	...	...	...	...	7	
Offences under section 457, Indian Penal Code ...	12	...	46	...	23	...	16	..	3	2	1	...	103	
„ „ Act XXVII, 1871, section 19 ...	2	...	...	...	...	...	...	...	...	...	...	...	2	
„ „ Act III, 1880, sections 14 and 325 ...	...	...	...	...	1	...	...	...	...	...	...	...	1	
„ „ section 126, Act IX of 1890 ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Theft as defined in section 379, Indian Penal Code ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
House-breaking by night as defined in sections 454 and 457, Indian Penal Code. ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	230	5	875	5	615	15	396	10	77	5	109	10	2,352	

IMPERIAL RETURN No. VA.—(CRIMINAL).

PART II.

Showing whippings inflicted in addition to other punishments, sections 3 and 4, Act VI, 1864.

Offences for which awarded.	Number of stripes. 5 and under.	6 to 10.	11 to 15.	16 to 20.	21 to 25.	26 to 30.	Total.	Remarks.
1	2	3	4	5	6	7	8	9
IN ADDITION TO OTHER PUNISHMENTS.								
(SECTIONS 3 AND 4.)								
A.—Section 3.								
1. Theft as defined in ... ... Sec. 378, I.P.C.	...	8	26	14	6	7	61	
„ 379 „ ...	...	2	...	...	...	...	2	
„ 380 „ ...	4	...	6	6	2	...	18	
„ 381 „ ...	...	...	1	...	...	...	1	
„ 382 „ ...	...	...	...	...	...	...	...	
2. Extortion as defined in ... ... „ 388 „ ...	...	...	...	...	...	...	...	
„ 389 „ ...	...	...	1	...	1	...	2	
3. Dishonestly receiving stolen property as defined in ... ... „ 411 „ ...	...	1	2	...	...	3	6	
„ 412 „ ...	...	...	...	...	...	...	...	
4. Lurking house, trespass as defined in ... „ 443 „ ...	...	...	1	2	...	1	4	
5. „ „ by night as defined in ... ... „ 444 „ ...	...	...	2	2	...	4	8	
6. House-breaking as defined in ... ... „ 445 „ ...	...	...	...	...	...	...	...	
7. „ by night as defined in ... „ 446 „ ...	...	...	6	5	...	7	18	
8. Offences under section 14, Act III, 1880	...	2	...	...	...	...	2	
B.—Section 4.								
1. False evidence as defined in ... ... Sec. 193, I.P.C.	...	...	1	...	...	...	1	
„ 194 „ ...	...	...	...	...	...	...	...	
„ 195 „ ...	...	...	...	...	...	...	...	
2. False charge of unnatural offences as defined in ... ... „ 211 „ ...	...	...	...	...	...	...	...	
„ 377 „ ...	...	...	...	...	...	...	...	
3. Assault as defined in ... ... „ 354 „ ...	...	...	...	...	...	...	...	
4. Rape as defined in ... ... „ 375 „ ...	...	...	...	...	...	...	...	
5. Unnatural offence as defined in ... „ 377 „ ...	...	...	...	...	...	...	...	
6. Robbery as defined in ... ... „ 390 „ ...	...	...	...	...	...	1	1	
7. Dakaiti as defined in ... ... „ 391 „ ...	...	...	...	...	...	1	1	
8. Attempt at robbery as defined in ... „ 393 „ ...	...	...	...	...	...	...	...	
9. Hurt in committing robbery as defined in „ 394 „ ...	...	...	...	...	...	...	...	
10. Receiving stolen property as defined in ... „ 413 „ ...	...	...	...	...	...	...	...	
11. Forgery as defined in ... ... „ 463 „ ...	...	...	...	...	...	...	...	
11. „ ... ... „ 466 „ ...	...	...	...	...	...	...	...	
„ 467 „ ...	...	...	...	...	...	...	...	
„ 468 „ ...	...	...	...	...	...	...	...	
„ 469 „ ...	...	...	...	...	...	...	...	
12. Lurking house trespass as defined in ... „ 443 „ ...	...	...	...	...	...	...	...	
13. „ „ by night as defined in „ 444 „ ...	...	...	...	...	...	...	...	
14. „ „ as defined in ... „ 454 „ ...	1	1	...	...	...	...	2	
15. House-breaking by night as defined in ... „ 446 „ ...	...	...	...	...	...	...	...	
Offences under section 19, Act XXVII, 1871	107	55	9	...	1	...	172	
House-breaking by night as defined in ... Sec. 457 I.P.C.	...	...	1	1	...	...	2	
Total ...	112	69	56	30	10	24	301	

IMPERIAL RETURN No. VA.—(Criminal).

Part III.

Showing whippings inflicted under section 5, Act VI, 1864, on juveniles for offences other than those specified in Parts I and II.

Offences.	Stripes.												Total.	Remarks.
	5 & under.		6 to 10.		11 to 15.		16 to 20.		21 to 25.		26 to 30.			
	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Section 20, Act VI of 1878	...	...	...	...	...	...	...	...	...	...	...	...	...	
False evidence as defined in section 193, Indian Penal Code ...	...	...	...	...	1	...	...	...	...	...	...	...	1	
Criminal breach of trust by a clerk or servant under section 408, Indian Penal Code.	...	..	...	...	...	...	...	...	...	...	...	...	...	
Punishment for cheating, section 417, I. P. C. ...	...	...	...	...	...	...	..	...	...	...	...	...	...	
Voluntarily causing hurt, „ 323 „ ...	...	...	...	...	1	...	...	...	...	...	...	...	1	
Punishment for voluntarily causing hurt by dangerous weapons or means, „ 324 „ ...	1	...	1	...	...	...	...	...	...	...	...	...	2	
Resistance or obstruction by a person to his lawful apprehension, „ 324 „ ...	...	..	...	...	1	...	...	...	...	...	...	1	2	
Punishment for voluntarily causing grievous hurt, „ 325 „ ...	...	...	1	...	2	...	1	...	...	...	...	...	4	
Dakaiti as defined in „ 395 „ ...	...	...	...	...	...	..	...	...	...	...	...	...	...	
Assault or use of criminal force to a woman with intent to outrage her modesty, „ 354 „ ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Assault „ 355 „ ...	...	...	...	...	1	...	...	...	...	...	...	...	1	
Criminal breach of trust, „ 406 „ ...	...	...	...	...	2	..	1	...	...	...	...	...	3	
„ 240 „ ...	...	...	1	...	...	...	...	...	...	...	...	...	1	
Rape, „ 376 „ ...	...	...	...	...	2	...	1	...	...	...	...	...	3	
Voluntarily causing grievous hurt, „ 326 „ ...	...	...	1	...	...	...	...	...	...	...	...	...	1	
Unnatural offence, „ 377 „ ...	1	...	2	...	...	...	1	...	2	...	...	...	6	
Theft as defined in „ 379 „ ...	1	...	...	...	1	...	...	...	...	...	...	...	2	
Delivery of Queen's coin possessed with the knowledge that it is altered, „ 254 „ ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Dishonest misappropriation of property „ 403 „ ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
„ 414 „ ...	...	...	1	...	...	...	...	...	...	...	...	...	1	
Rioting, „ 147 „ ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Mischief by fire, „ 436 „ ...	...	...	...	...	1	...	...	...	...	...	...	...	1	
House-breaking as defined in „ 454 „ ...	...	...	...	...	...	...	1	...	...	...	...	...	1	
Lurking house-trespass or house-breaking by night in order to the commission of an offence punishable with imprisonment, „ 457 „ ...	...	...	...	...	1	...	...	...	...	...	...	...	1	
Attempt to commit suicide „ 309 „ ...	1	...	...	...	...	...	...	...	...	...	...	...	1	
Section 13, Act III, 1867	...	...	6	...	...	...	...	...	...	...	...	...	6	
Total ...	4	...	13	...	13	...	5	...	2	...	...	1	38	

IMPERIAL RETURN No. VA.—(CRIMINAL).

PART IV.

Showing relative number of times whipping was awarded as compared with other punishments.

Punishments.	Number.	Remarks.
1	2	3
(1) Total number of whippings awarded,... ...	2,691	
(2) Total number of other punishments in cases in which whipping might have been awarded.	8,567	
(3) Total number of all punishments in cases in which whipping might have been awarded (total of headings 1 and 2).	11,258	
(4) Percentage of whippings on total number of all punishments (percentage of heading 1 on heading 3).	19 20	

IMPERIAL RETURN No. VI.—(CRIMINAL).

Showing the result of appeals and revisions in Criminal cases in the Province of Oudh during the year 1891.

Tribunals.	Total number of appellants and applicants before the Courts	Number of persons.										Average number of days during which each appeal lasted.	Remarks.
		Died, escaped, or transferred to another province	Appeals or applications rejected.	Sentence or order confirmed.	Sentence enhanced.	Sentence reduced or otherwise altered.	Sentence reversed.	Proceedings quashed.	New trial or further enquiries ordered.	Referred for revision to the High Court.	Pending trial.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Appeals.													
To Chief Magistrates of Districts ..	1,191	...	103	670	...	144	222	1	20	...	31	10·25	
To Sessions Courts	3,223	1	1,346	1,059	..	183	346	6	124	3	155	27·12	
Superior Courts — By persons convicted	325	...	68	147	...	27	41	...	...	...	42	32·49	
Superior Courts — By Government ...	6	...	...	...	...	...	6	...	...	...	...	18·	
Total ...	4,745	1	1,517	1,876	...	354	615	7	144	3	228	24·08	
Revisions.													
By Chief Magistrates of Districts .	92	...	656	104	...	4	8	1	149	16	13	9 98	341 applications by 352 complainants against 859 accused.
By Courts of Sessions	218	...	216	149	...	...	9	...	44	18	48	23 52	93 „ „ 106 „ „ 266 „
By Superior Courts	317	...	112	164	3	11	67	9	4	...	26	22 52	51 „ „ 51 „ „ 79 „
Total ...	627	...	984	417	3	15	84	10	197	34	87	16 74	485 „ „ 509 „ „ 1,204 „

IMPERIAL RETURN No. XIII.—(CRIMINAL).

Statement showing the use of jurors and assessors in the Criminal Courts in the Province of Oudh for the year 1891.

Classes of Courts in which assessors are employed, distinguishing Criminal from Civil Courts.	Established or average number of jurors or assessors in each case and prescribed qualification.	Number of cases tried by jury.	Number of cases with assessors.	Jury trials.					Assessor trials.			Remarks.
				Cases in which the Judge approved of the verdict.	Cases in which the Judge did not approve of the verdict.		Number of persons of the verdict in respect to whom the Judge disapproved.		Number of cases in which Judge agreed with assessors.	Number of cases in which the Judges differed from—		
					Wholly.	Partially.	Whose cases he referred under section 263, Criminal Procedure Code.	Whose cases he did not refer under section 263, Criminal Procedure Code.		One assessor.	Both assessors.	
1	2	3	4	5	6	7	8	9	10	11	12	13
Sessions Judge, Lucknow Division ...	5 jurors ...	46	...	45	...	1	2	...	...	...	...	
	2 assessors ...	...	50	...	...	...	...	...	36	6	8	
„ Sitapur „ ...	2 „ ...	...	48	...	...	...	...	...	27	5	16	
„ Hardoi „ ...	2 „ ...	...	58	...	...	...	...	...	37	8	13	
„ Fyzabad „ ...	3 „ ...	...	31	...	...	...	...	...	24	1	3	
„ Gonda „ ...	3 „ ...	...	73	...	...	...	...	...	45	14	14	
„ Rae Bareli „ ...	3 „ ...	...	77	...	...	...	...	...	72	2	3	
Total ...	...	46	337	45	...	1	2	...	241	36	57	

A.—Showing in detail for each class the number of persons convicted in 1891.

Districts.	Offences against the State and relating to the Army and Navy, Chapters VI and VII, Indian Penal Code.	Offences against the public tranquillity, Chapter VIII.	Offences by and relating to public servants, Chapters IX and X.	Offences against public justice and false evidence, Chapter XI.	Offences relating to coin, stamps, weights and measures, Chapters XII and XIII.	Offences affecting public health, &c., and religion, Chapters XIV and XV.	Offences affecting the human body, Chapter XVI.	Offences against property, Chapter XVII.	Miscellaneous offences under the Penal Code, Chapters XVIII to XXII.	Total offences under the Penal Code.	Offences under the Code of Criminal Procedure and under special laws.	Grand Total.
Lucknow City... ...	...	28	16	25	8	150	182	411	28	843	2,783	3,626
Lucknow	...	64	18	11	2	8	279	531	19	933	594	1,526
Unao	...	52	23	14	5	15	271	923	9	1,312	390	1,702
Bara Banki	...	144	108	32	11	17	383	1,198	20	1,908	805	2,713
Sitapur	...	69	52	28	3	14	375	975	20	1,536	756	2,292
Hardoi	...	77	139	38	3	11	635	1,170	18	2,091	1,215	3,306
Kheri	...	54	38	14	1	3	224	799	12	1,145	221	1,366
Fyzabad	...	125	111	26	7	18	448	1,092	17	1,844	2,339	4,183
Bahraich	...	81	36	34	17	20	238	933	16	1,375	627	2,002
Gonda	...	91	50	11	4	3	331	951	14	1,455	1,163	2,618
Rae Bareli	...	31	60	29	11	19	341	837	22	1,350	1,071	2,421
Sultánpur	...	118	91	40	9	37	295	701	14	1,305	610	1,915
Partábgarh	...	87	89	21	7	9	319	1,006	35	1,573	450	2,023
Total ...	...	1,021	826	383	83	324	4,321	11,527	244	18,660	13,024	31,693

B.—Showing the number of cases brought to trial during the year, disposed of, and pending in the Courts of Sessions and the Courts of Magistrates in 1891.

Districts.	Courts of Sessions.			Courts of Magistrates.			Remarks.
	Brought to trial.	Disposed of.	Pending.	Brought to trial.	Disposed of.	Pending.	
Lucknow City	47	43	4	3,612	3,572	40	
Lucknow	25	22	3	1,899	1,868	31	
Unao	36	31	5	2,150	2,111	39	
Bara Banki	40	38	2	3,159	3,098	61	
Sitapur	31	27	4	3,020	2,957	63	
Hardoi	46	42	4	3,384	3,260	124	
Kheri	36	32	4	2,788	2,761	27	
Fyzabad	39	34	5	4,188	4,149	39	
Bahraich	38	33	5	2,525	2,470	55	
Gonda	57	52	5	2,938	2,900	38	
Rae Bareli	26	24	2	3,017	2,985	32	
Sultánpur	32	30	2	2,624	2,571	53	
Partábgarh	28	23	5	2,608	2,553	55	
Total ...	481	431	50	37,912	37,255	657	

C.—Showing the number of persons concerned in cases decided under the miscellaneous provisions of the Criminal Procedure Code during the year 1891.

Districts.	Frivolous or vexatious complaints summarily dealt with under Chapter XX, section 250.	Proceedings against witnesses under Chapter VI and section 485 of Chapter XXXV.	Forfeiture of bail or recognizance under Chapter XLII.	Non-attendance of jurors or assessors, Chapter XXIII, section 332.	Contempt of Court under Chapter XXXV, section 480.	Proceedings under Chapter VIII to prevent breach of the peace.	Proceedings under Chapter VIII, security for good behaviour.	Proceedings against public nuisances, Chapter X.	Possession, Chapter XII, and section 522 of Chapter XLIII.	Maintenance, XXXVI.	Total of persons.
City Lucknow	9	...	4	...	...	94	85	66	13	163	384
Lucknow	14	...	1	17	...	60	20	69	1	44	226
Unao	14	...	3	...	...	61	16	...	1	21	116
Bara Banki	11	...	7	...	...	473	41	3	4	74	613
Sitapur	25	...	...	2	...	104	36	22	10	69	268
Hardoi	17	...	19	5	...	412	135	50	8	53	699
Kheri	43	...	2	...	...	42	30	19	8	58	202
Fyzabad	60	1	16	...	...	282	72	5	47	51	534
Bahraich	18	...	6	...	...	101	67	...	12	35	239
Gonda	8	...	7	3	...	297	42	2	37	55	451
Rae Bareli	14	...	6	...	...	94	46	...	1	70	231
Sultanpur	48	...	1	1	...	450	25	2	22	36	585
Partábgarh	109	...	1	...	...	88	27	23	19	53	320
Total ...	390	1	73	28	...	2,558	592	261	183	782	4,868

D.—Showing the results of trials in the Courts of Sessions in 1891 *(as affecting persons).*

Districts.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Referred.	Died, escaped, or transferred.	Remaining under trial.	Number per cent. of persons entered in columns 3 and 4, and of those whose cases were referred under section 344, Criminal Procedure Code, who were convicted.	Remarks.
1	2	3	4	5	6	7	8	9
Lucknow	109	37	63	...	...	9	63·	
Unao	66	34	25	...	...	7	42·	
Bara Banki	64	29	26	...	...	9	47·	
Sitapur	49	27	18	...	...	4	28·	
Hardoi	90	50	33	...	...	7	39·	
Kheri	55	19	32	...	...	4	58·	
Fyzabad	71	23	39	...	...	9	61·	
Bahraich	63	17	39	...	2	5	65·	
Gonda	100	36	58	...	1	5	56·	
Rae Bareli	55	29	23	...	1	2	43·	
Sultánpur	53	31	16	...	2	4	32·	
Partábgarh	62	24	30	...	...	8	55·	
Total ...	837	356	402	...	6	73	52·	
Judicial Commissioner's Court, Oudh ...	25	5	15	...	...	5	75·	
GRAND TOTAL ...	862	361	417	...	6	78	51·	

F.—Showing the results of trials in the Courts of Magistrates in 1891 *(as affecting persons).*

Districts.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Committed or referred.	Died, escaped, or transferred.	Remaining under trial.	Number per cent. of persons entered in columns 3 and 4 who were convicted.	Remarks.
1	2	3	4	5	6	7	8	9
Lucknow City ...	5,808	2,037	3,626	59	2	84	61	
Lucknow	3,168	1,626	1,437	50	1	54	61	
Unao	3,867	1,072	1,702	74	1	118	45	
Bara Banki... ...	5,629	2,650	2,718	60	3	203	50	
Sitapur	5,712	3,119	2,242	38	3	310	41	
Hardoi	7,402	3,730	3,248	105	...	319	45	
Kheri	4,730	3,237	1,366	58	2	67	29	
Fyzabad	7,600	3,283	4,144	67	15	91	55	
Bahraich	4,790	2,542	2,002	66	60	120	42	
Gonda	4,911	2,024	2,521	101	192	73	52	
Rae Bareli	5,422	2,962	2,352	45	2	61	43	
Sultánpur	5,120	3,040	1,915	48	3	114	38	
Partábgarh	4,168	1,991	2,023	62	9	83	49	
Total ...	68,327	34,213	31,291	833	293	1,697	46	

F.—Showing the number of witnesses examined and the number of persons to whom payments were made on account of expenses in Courts of Sessions and Courts of Magistrates in 1891.

Districts.	Number of witnesses examined.				Amount paid as expenses.		Remarks.
	Courts of Sessions.		Magistrates' Courts.		Courts of Sessions.	Magistrates' Courts.	
	Number of persons to whom payments were made.	Number of witnesses examined.	Number of persons to whom payments were made.	Number of witnesses examined.	Amount paid.	Amount paid.	
					Rs. a. p.	Rs. a. p.	
Lucknow City	...	...	2,964	6,387		1,066 12 9	
Lucknow	974	1,173	2,506	6,157	2,505 8 6	1,003 11 0	
Unao	...	...	3,702	7,839	...	1,421 13 0	
Bara Banki	...	...	8,395	11,875	...	4,217 1 6	
Sitapur	508	628	4,974	8,276	765 6 6	2,425 12 9	
Hardoi	692	950	4,398	9,356	1,018 4 6	1,884 0 6	
Kheri	...	...	4,605	8,707	...	2,363 13 3	
Fyzabad	268	306	4,083	9,652	355 1 0	2,779 12 9	
Bahraich	...	...	5,657	9,519	.	2,866 1 9	
Gonda	779	850	4,805	9,255	568 7 6	2,527 0 6	
Rae Bareli	835	957	5,730	7,116	1,024 2 0	2,642 5 4	
Sultánpur	...	...	4,275	7,410	...	1,859 1 0	
Partábgarh	...	...	2,626	5,615	...	932 15 0	
Total ...	4,056	4,864	58,920	107,144	6,236 14 0	27,990 5 1	

G.—Showing the detention of witnesses in Courts of Sessions and Courts of Magistrates in 1891.

Districts.	Number of witnesses discharged.							
	Courts of Sessions.				Magistrates' Courts.			
	On the 1st day.	On the 2nd day	On the 3rd day.	After the 3rd day.	On the 1st day.	On the 2nd day.	On the 3rd day.	After the 3rd day.
Lucknow City	...	...	..	...	6,236	658	190	79
Lucknow	769	196	63	100	6,048	329	58	...
Unao	245	101	6	...	7,145	172	20	...
Bara Banki	...	...	...	...	11,664	211	...	...
Sitapur	257	154	43	84	8,133	333	5	...
Hardoi	407	143	48	...	8,803	521	28	4
Kheri	...	...	...	...	7,860	1,058	196	...
Fyzabad	216	75	9	6	9,208	405	32	7
Bahraich	...	...	...	...	9,290	229	...	...
Gonda	753	89	8	...	8,960	285	27	...
Rae Bareli	667	141	103	50	6,874	490	59	17
Sultánpur	...	...	...	...	6,815	366	19	...
Partábgarh	...	...	...	...	5,318	268	18	13
Total ...	3,314	899	280	240	102,354	5,325	652	120

H.—Showing the total amount of fine imposed in the exercise of original jurisdiction by the Criminal Courts in 1891, *the amount realized, and the amount paid by way of compensation.*

Districts.	Courts of Sessions.			Magistrates' Courts.			Remarks.
	Total amount of fines.	Amount realized.	Amount paid by way of compensation.	Total amount of fines.	Amount realized.	Amount paid by way of compensation.	
	Rs.	Rs	Rs	Rs	Rs	Rs.	
Lucknow City	...	...	...	8,442	7,405	1,408	
Lucknow	6,570	200	75	5,616	4,007	399	
Unao	...	...	...	5,191	3,797	431	
Bara Banki	...	...	...	12,293	11,959	2,445	
Sitapur	48	48	...	5,896	5,185	1,053	
Hardoi	215	105	80	7,224	6,675	1,167	
Kheri	...	...	...	5,573	4,658	1,194	
Fyzabad	80	80	50	10,517	8,461	1,110	
Bahraich	...	...	...	6,883	6,392	534	
Gonda	480	206	...	7,974	6,722	676	
Rae Bareli ...	700	600	...	5,952	4,696	1,074	
Sultánpur	...	...	...	5,129	4,862	555	
Partábgarh	...	...	...	10,109	8,936	1,441	
Total ...	8,093	1,239	205	96,799	83,755	13,487	

I.—Showing the number of appeals (cases) preferred, disposed of, and pending in the Courts of Sessions Judges and of District Magistrates in 1891.

Districts.	Preferred.		Disposed of.		Pending.		Remarks.
	Courts of Sessions.	Courts of District Magistrates.	Courts of Sessions.	Courts of District Magistrates.	Courts of Sessions.	Courts of District Magistrates.	
Lucknow City	133	18	131	18	2	...	
Lucknow	155	49	154	47	1	2	
Unao	135	63	135	61	...	2	
Bara Banki	251	43	248	40	3	3	
Sitapur	564	18	558	18	6	...	
Hardoi	235	109	234	107	1	2	
Kheri	283	81	282	80	1	1	
Fyzabad	128	112	116	112	12	...	
Bahraich	176	34	136	33	40	1	
Gonda	394	63	365	57	29	6	
Rae Bareli	94	91	83	88	11	3	
Sultánpur	86	49	82	49	4	...	
Partábgarh	238	35	232	32	6	3	
Total ...	2,872	765	2,756	742	116	23	

J.—Showing the number of applications for revision (cases) preferred, disposed of, and pending in the Courts of Sessions Judges and of District Magistrates in 1891.

Districts.	Preferred.		Disposed of.		Pending.		Remarks.
	Courts of Sessions.	Courts of District Magistrates.	Courts of Sessions.	Courts of District Magistrates.	Courts of Sessions.	Courts of District Magistrates.	
Lucknow City	11	...	10	...	1	...	
Lucknow	10	19	9	18	1	1	
Unao	8	25	8	25	...	...	
Bara Banki	16	10	16	10	...	...	
Sitapur	16	6	15	6	1	...	
Hardoi	14	18	12	18	2	...	
Kheri	5	40	4	40	1	...	
Fyzabad	58	81	55	81	3	...	
Bahraich	5	35	5	35	...	...	
Gonda	29	42	28	41	1	1	
Rae Bareli	12	27	12	27	...	...	
Sultánpur	10	45	8	45	2	...	
Partábgarh	31	40	27	37	4	3	
Total ...	225	388	209	383	16	5	

K.—Showing the number of persons whose cases came before the Courts of Sessions Judges and of District Magistrates on appeal or application for revision, with the result as affecting the orders of the Lower Courts in 1890.

Districts.	Appeals.				Applications for revision.			Remarks.
	Number of persons who appealed.	Ratio per cent. of persons appealing to persons in respect of whom appealable orders were passed.	Number of applicants in whose cases (1) appeals or applications were rejected and (2) sentences or orders were confirmed.	Ratio per cent. of affirmed to decided.	Number of applicants (accused persons) for revision.	Number of accused persons in whose cases applications for revision were rejected or orders were confirmed.	Ratio per cent of rejected to disposed of.	
Lucknow City	55	18·	29	52·	...	...	..	
Lucknow	470	57·	354	45·	14	45	86·	
Unao	237	17·	141	25·	7	52	85·	
Bara Banki	372	19·	257	42·	18	25	66·	
Sitapur	379	21·	295	26·	15	24	96·	
Hardoi	406	15·	273	40·	10	69	69·	
Kheri	626	62·	567	27·	15	108	90·	
Fyzabad	393	11·	252	55·	47	259	74·	
Bahraich	348	24·	251	39·	43	96	84·	
Gonda	383	18·	279	49·	20	111	81·	
Rae Bareli	302	13·	187	59·	22	73	74·	
Sultánpur	254	18·	162	42·	48	169	90·	
Partábgarh	189	19·	131	40·	51	94	91·	
Total ...	4,414	18·	3,178	40·	310	1,125	81·	

L.—Showing the number of appeals and applications for revision (cases) preferred, disposed of, and pending in the High Court of Oudh in 1891.

Districts.	Appeals.			Applications for revision.			Remarks.
	Preferred.	Disposed of.	Pending.	Preferred.	Disposed of.	Pending.	
Lucknow	30	25	5	23	22	1	
Unao	24	22	2	10	10	...	
Bara Banki...	22	21	1	19	18	1	
Sitapur	15	10	5	13	12	1	
Hardoi	36	31	5	1	1	...	
Kheri	32	21	11	4	4	...	
Fyzabad	6	6	...	11	11	...	
Bahraich	20	16	4	9	9	...	
Gonda	52	47	5	16	14	2	
Rae Bareli	21	19	2	10	9	1	
Sultánpur	6	6	...	4	4	...	
Partábgarh	15	13	2	6	6	...	
Total ..	279	237	42	126	120	6	

M —Showing the result, as affecting persons, of appeals and revision in the High Court of Oudh in 1891.

Sessions division.	Appeals.						Applications for revision.					
	Rejected.	Sentence affirmed	Sentence reversed.	Sentence varied.	Further enquiry ordered	Otherwise disposed of	Rejected	Order affirmed.	Order reversed	Order varied.	Further enquiry ordered.	Otherwise disposed of.
Lucknow ...	17	8	...	...	...	...	7	16	7	...	...	...
Unao ...	5	14	4	2	...	...	22	11	7	...	...	...
Bara Banki ...	3	17	8	2	...	...	20	6	4	...	...	...
Sitapur ...	...	7	1	2	...	...	10	11	1	1	...	...
Hardoi ...	5	21	3	4	...	...	...	1	...	...	...	...
Kheri ...	2	13	2	4	...	...	1	3	2	...	...	...
Fyzabad ...	6	12	...	...	...	...	11	11	3	...	...	...
Bahraich ...	6	9	11	...	...	...	21	1	1	1	...	...
Gonda ...	13	23	8	11	...	...	6	13	7	3	...	...
Rae Bareli ...	8	10	7	2	...	...	...	6	17	...	...	...
Sultánpur ...	2	2	2	...	...	...	5	1	3	...	...	...
Partábgarh ...	1	11	1	...	...	...	9	...	...	...	...	...
Total ...	68	147	47	27	...	...	112	80	52	5	...	...

N.—Criminal business coming on before the High Court of Oudh in 1891.

Description of cases.	Remaining from 1890	Filed in 1891.	Disposed of in 1891.	Remaining at the close of 1891.	Remarks.
ORIGINAL BUSINESS.					
Nil.					
APPEALS.					
By persons convicted. — From the orders of Deputy Commissioners acting under section 30 of the Code of Criminal Procedure.	1	47	45	3	
By persons convicted. — Sessions Judges	5	231	197	39	
By the Local Government. — From the judgment of acquittal of all Courts	...	1	1	...	
Total ...	6	279	243	42	
REFERENCES.					
Cases in which sentence of death passed by Sessions Judges was referred for confirmation under section 374 of the Code of Criminal Procedure.	1	19	16	4	
Cases in which proceedings held against persons who could not understand them were referred for orders under section 341 of the Code of Criminal Procedure.	...	5	5	...	
Total ...	1	24	21	4	
REVISION.					
Cases referred for revision by District Magistrates and Sessions Judges under section 438 of the Code of Criminal Procedure.	2	58	52	8	
Cases dealt with by the Court under section 439 of the Criminal Procedure Code—					
(1) Cases decided by Magistrates	5	62	64	3	
(2) „ Sessions Judges	1	85	82	4	
Total ...	8	205	198	15	
Full bench references	...	...	...	...	
GRAND TOTAL ...	15	508	462	61	

ORDERS OF GOVERNMENT.

No. 2960 / VI—110C OF 1892.

FROM

THE SECRETARY TO GOVERNMENT,
N.-W. PROVINCES AND OUDH,

TO

THE JUDICIAL COMMISSIONER OF OUDH.

DATED ALLAHABAD, THE 25TH NOVEMBER 1892.

SIR,

JUDICIAL DEPT. (CRIMINAL).

I AM directed to acknowledge the receipt on 31st October 1892 of your predecessor's letter No. 1497, dated 21st September 1892, being the Report on the Administration of Criminal Justice in Oudh for 1891. It was due in the Secretariat on the 1st July, and its tardy submission seems to have been owing to the late receipt of some of the district returns, one from Rae Bareli having been forwarded so late as 17th August. The past year is noticeable for the transfer on the 1st April 1891 of the work of the Courts of Session from the Revenue Commissioners to six District Judges in accordance with the scheme for the reorganisation of the administration of the Province.

2. In reviewing the report for 1890 it was anticipated that the instructions issued last year for compiling the returns would bring about a closer correspondence in the proportion of cases returned as true and brought to trial in the two Provinces. The figures for the last three years (given below) display however a contrary result, due chiefly, it appears from the note prefixed to the criminal statements of the North-Western Provinces, to neglect on the part of Magistrates in the North-Western Provinces to comply with the directions on the subject received from the High Court:—

		Reported.	Returned as true.	Brought to trial.	Percentage of cases returned as true to cases reported.	Percentage of cases brought to trial to cases returned as true.
N.-W. Provinces	1889 ...	154,607	113,802	110,484	73 60	97 08
	1890 ...	152,829	114,628	110,902	75·00	96 74
	1891 ...	162,323	128,214	113,665	78 98	88 65
Oudh ...	1889 ...	48,565	33,379	33,921	68 73	101·62
	1890 ...	49,342	35,598	36,192	72 14	101 66
	1891 ...	51,642	37,470	38,182	72 55	101 90

3. Offences which during the last four years show a continuous increase or decrease are noted in the subjoined table:—

	Contempts of lawful authority.	Theft.	Receiving stolen property.	Criminal trespass.	Criminal force.
1888	385	6,543	924	4,383	3,709
1889	538	6,874	979	4,676	3,646
1890	722	7,706	1,124	4,718	3,510
1891	785	8,727	1,376	5,305	3,134

Besides these, the principal variations as compared with the figures for 1890 occur under the heads of "offences against public justice," which decrease from 637 to 505, and "hurt" and "mischief," which show increases from 11,190 to 11,445 and from 1,833 to 2,025 respectively. The rise in the number of reports in Bara Banki (800), Bahraich (671) and Partábgarh (659) was marked; while there was a falling off in Hardoi of 517. In the first two districts the increase is attributed to scarcity and in Partábgarh to more faithful reporting. Three thousand five hundred and fifteen cases were expunged from the registers by order of the Magistrate, as compared with 2,211 in 1890. There was a still further decline in the percentage of offences reported which were struck off under section 203, Criminal Procedure Code, from 23 to 20, only 10,655 out of 51,642 having been thus disposed of as against 11,533 in 49,312 during the previous year. This is not a matter for congratulation, and Magistrates should be careful to impress on their subordinates the necessity of closely scrutinising complaints before issuing process, in order to eliminate so far as possible false and frivolous charges. Though, as in the North-Western Provinces, full advantage is not taken at present of the new enactment (Act IV of 1891), the number of persons who received compensation for frivolous or vexatious accusations rose from 145 to 540, which is ascribed to the extended scope of the section (360) added to the Criminal Procedure Code by the above Act as compared with the repealed section, 250. The reference to section 250 and Chapter XX in Statement III and Provincial Statement C should, I am to remark, be altered in future years.

4. The number of cases brought to trial (37,491) exceeded that in 1890 (35,492) by 1,999 cases; all districts except three, in only one of which (Hardoi) the decrease was marked, sharing in the increase. It is unsatisfactory to notice that the improved percentage of convictions obtained last year in Oudh is not maintained, and the figures under each of the three heads noted below compare unfavourably with those for the North-Western Provinces:—

		North-Western Provinces.			*Oudh.*		
		Tried out.	Convicted.	Percentage. convicted.	Tried. out.	Convicted.	Percentage convicted.
Total number of persons dealt with ...	1889	183,276	91,860	49	61,756	28,553	46
	1890	182,609	91 404	50	65.140	32,735	50
	1891	191,397	99,542	52	66,262	31,693	47
Total number of persons dealt with under the Penal Code.	1889	134,217	53,658	39	42,354	16,211	38
	1890	131,326	52,964	40	45,069	18,681	41
	1891	135,775	56,803	41	47,187	18,669	39
Total number of persons dealt with under the Criminal Procedure Code and Special and Local Laws.	1889	49,059	37,702	76	19,402	12,342	63
	1890	51,283	38,440	74	20,071	14,054	70
	1891	55,622	42,739	76	19,075	13,024	68

There has been marked progress in the North-Western Provinces and deterioration in Oudh, the latter being confined to no particular class of offence, as the following figures show :—

Offence.	Percentage of persons convicted.					
	North-Western Provinces.			*Oudh.*		
	1889.	1890.	1891.	1889.	1890.	1891.
Against public tranquillity	63	65	60	59	58	54
By and against public servants	59	58	57	53	61	61
Against public justice	54	54	58	48	55	54
Connected with coin and weights and measures,	50	50	62	55	60	53
Connected with religion and health ...	76	67	75	71	76	65
Against the human body (excluding hurt and assault).	38	43	40	48	56	49
Hurt and assault	18	19	18	19	19	17
Theft	71	71	73	72	74	74
Mischief	16	16	19	19	19	21
Criminal trespass	49	49	52	48	55	52
Other offences against property	55	57	56	60	63	63
Miscellaneous	14	14	11	16	18	14

Nor is the decline limited to a few districts; only four (Lucknow, Fyzabad, Sultánpur and Partábgarh) show an improvement in this respect. In Kheri the very meagre percentage of 29 is recorded for convictions. This district, in which there has been a continuous decline in the percentage of convictions for the last seven years, the figure in 1885 standing at 51, requires attention; the failure seems to be in offences against public health and Act V of 1861, theft and receiving stolen property. The falling off at Unao, Hardoi and Bahraich is conspicuous. In Sitapur, Fyzabad and Gonda not a single conviction was obtained in cases of wrongful restraint and confinement, while comment is made on the signal failure under this head in three other districts as well. There was as usual little success in cases of defamation and offences connected with marriage. In one instance (dakáiti and robbery) it is surmised that injudicious action of the police in making arrests may have led to an increase in acquittals, but as a rule the inferior results (which District Officers have failed to explain) are attributed to the improper admission of complaints by Magistrates without due consideration being paid to the provisions of section 203, Criminal Procedure Code, a subject which has already been referred to in paragraph 2, and which your predecessor intended to bring to the notice of District Magistrates. The increase of crime under the Criminal Tribes Act, noticed in paragraph 40 of the report, is more apparent than real, being due to the greater success of the police in identifying absconded Barwárs.

5. In the subjoined table are exhibited the main figures bearing on the working of the various Courts during the last three years :—

	Number of persons whose cases were disposed of.			Percentage of persons convicted (including committals).			Percentage of persons whose cases were disposed of by each class of Magistrates to total number.			Duration of cases.		
	1889.	1890.	1891	1889	1890.	1891.	1889.	1890.	1891.	1889.	1890.	1891.
Honorary Magistrates.	7,770	6,942	6,062	28	38	32	28	26	23	6 00	5·42	7 57
Benches ...	9,492	9,898	9,426	65	62	63				2·81	4·0	3 95
Subordinate Magistrates (stipendiary, of all classes)	14,555	13 775	16,041	35	40	33	61	59	63	6 29	5·40	6·16
Full power Native Magistrates.	22,676	24,521	25,355	46	54	52				8·31	8·81	10 94
Full power European Magistrates.	5,105	7,717	7,531	56	44	53						
Magistrates of Districts.	1,423	1,487	1,371	79	79	80	11	15	14	6·30	7 64	5·84
Deputy Commissioners, under section 30.	671	823	551	75	72	70				5·80	6 89	5·57
										9 70	11·48	10·11
Total, Magistracy,	61,690	65,163	66,337	46	50	48	...	...	...	6 50	6·96	7·54
Sessions Judges ...	734	530	758	65	73	53	...	...	...	55 46	50 14	59 40

Honorary Magistrates, whether sitting singly or in benches, disposed of fewer cases, and the duration in their Courts, except in the case of benches, rose, while the percentage of convictions fell. They performed however a large amount of valuable work, and the thanks of the Government are due to them for their public-spirited labours. The result attained in their Courts is not singular, as the percentage of convictions declined in all classes of Magisterial Courts except those of benches, European full-powered Magistrates and District Magistrates: while in the majority of cases the duration increased. European full-powered Magistrates, in whose Courts the percentage of convictions improves, disposed of about the same percentage of the work as in 1890. The number of cases decided by Deputy Commissioners, both under their enhanced and their ordinary powers, fell off considerably. As the record of the work of each of these officers is carefully examined by the Government at the close of every half-year, when due notice is taken of shortcomings, it is unnecessary to refer to the subject further here. At the end of the year, 657 cases were pending as compared with 678 at the end of the previous year. There is a very marked decline in the percentage of convictions in Sessions Courts, and an equally marked rise in the duration of trials, which can only be ascribed to the changes in the judicial system introduced during the year; your predecessor anticipates that the deterioration in the latter case is only temporary. In both cases the figures are inferior to those for the North-Western Provinces. In no less than six of the twelve districts in Oudh the acquittals and discharges in Courts of Session exceeded the convictions.

6. The variations in the proportions of the various kinds of punishments inflicted by each class of Court to the total number inflicted by the different classes are only noticeable in two respects. In the Courts of subordinate stipendiary Magistrates the proportion of sentences

of rigorous imprisonment awarded increased by 3 per cent. at the expense of fines; and in those of District Magistrates in the exercise of their ordinary powers, the percentage of sentences of rigorous imprisonment awarded declined from 41 to 27, and that of sentences of whipping increased from 37 to 53. From the figures given in paragraph 70 it would appear that sentences of whipping, which increased in number from 2,484 to 2,734, diminished in severity. I am to invite your attention to the fact that twelve of the entries in column 1 of return No. VA-I are wrong, and one superfluous; similarly eight are wrong in Form VA-II. Very few sentences of transportation (87) were passed, and the suitability of this form of punishment for habitual offenders, of whom 1,407 were brought to trial, seems imperfectly recognised. Fines to the extent of Rs. 96,799 were imposed in Magistrates' Courts, of which 86 per cent., or Rs. 83,755, were recovered: a great improvement on the figures for 1890, when only 70 per cent. of the fines, which amounted to Rs. 98,665, were realised.

The aggregate amount of fines realised paid as compensation by Magistrates declined from Rs. 14,688 to Rs. 13,487, and, owing to the greater success in realisations, the percentage paid as compensation declined from 21 to 16. In Sessions Courts, where nothing was paid in compensation last year, Rs. 205 were disbursed in 1891.

7. The number of witnesses examined in the Courts of Magistrates was 107,144 as compared with 108,994 in 1890. As was the case last year, the percentage to whom payments were made as diet money varies considerably, the maximum being 80 at Rae Bareli and the minimum 40 at Lucknow, while the average is 54. Care should be taken in districts where the percentage is high (Bara Banki, Sitapur, Bahraich and Rae Bareli) that money is not needlessly expended. The percentage of witnesses discharged after the first day varies from 14 at Lucknow City and Kheri to one in Bara Banki. It is possible that the mistake, which is believed to exist in the North-Western Provinces, is made in some Courts of showing witnesses detained from day to day as detained only for the day on which they are ultimately examined.

8. The figures for the appellate work of the Oudh Courts are given below :—

	Number of accused in whose cases appeal was made or revision applied for.		Number whose sentence was upheld.		Percentage whose sentence was upheld.		Duration in days.	
	1890.	1891.	1890.	1891.	1890.	1891.	1890.	1891.
Appeals—								
To District Magistrates ...	1,274	1,191	752	773	59	64	8 79	10 25
„ Sessions Courts ...	3,011	3,223	2,497	2,405	82	74	11 27	27 12
„ Judicial Commissioner,	394	331	325	215	82	64	22 37	32 49
Total ...	4,679	4,745	3,574	3,393	76	71	11 75	24 08
Revision—								
By District Magistrates ...	1,015	951	838	760	82	80	10 39	9 98
„ Sessions Courts ...	411	484	323	365	78	75	11 67	23 52
„ Judicial Commissioner,	398	396	237	279	59	70	15 70	22 52
Total ...	1,824	1,891	1,398	1,404	76	76	12·80	16 74

The most salient feature in the statistics is the reduced percentages of sentences upheld on appeal, and in revision by the newly constituted Courts of Sessions Judges; it has already been noticed that they also convicted a smaller percentage of persons than the Courts of the Commissioners whom they superseded. As in the case of trials, the duration of appeals and applications for revision largely increased, more than doubling that of the previous year. Your particular attention is asked to the fact that the work of the Judges as a whole compares unfavourably in these respects not only with that of their predecessors, but also with that of the same tribunals in the North-Western Provinces. The results in the two Provinces are compared in the subjoined table:—

Courts of Session in	PERCENTAGE OF PERSONS			*Average number of days of duration of each*		*Average for each Judge.*			
	convicted.	*whose sentence was upheld*		trial.	appeal or application for revision.	Cases disposed of.	Witnesses examined.	Appeals disposed of.	Applications for revision disposed of.
		on appeal.	on revision.						
Oudh ...	53	74	75	59	25	71	810	459	35
North-Western Provinces.	63	70	75	41	19	96	728	430	81

Divergencies in the percentage of appeals made to cases disposed of, calculated on the data furnished by Statements I, J and B, are not so great as last year, being comprised (excluding Lucknow City) between the limits of 20 and 7 as against 24 and 8 in 1890. There was a very low proportion of appeals confirmed in Unao (25), Sitapur (26) and Kheri (27).

9. In only one of the 46 trials by jury held at Lucknow did the Judge disagree with the jury: in the North-Western Provinces the verdicts in 20 out of 106 cases gave the Judges cause for dissatisfaction. The opinion of the assessors was approved in 241 of the 337 cases tried with their aid in Oudh, or in 71 per cent.; the percentage in the North-Western Provinces was 74.

I have the honor to be,

SIR,

Your most obedient servant,

W. H. L. IMPEY,

Secy. to Govt., N.-W. P. and Oudh,